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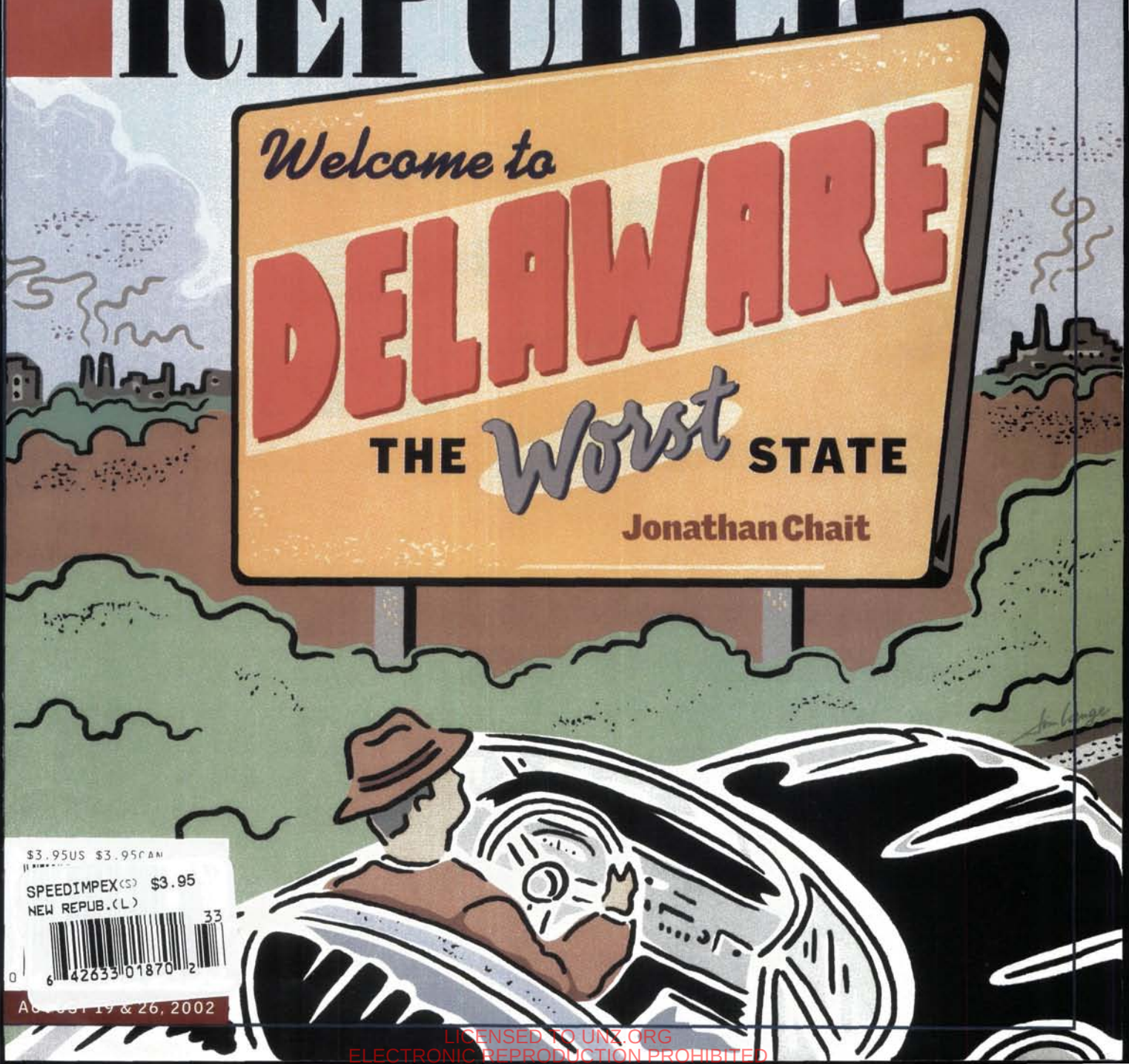


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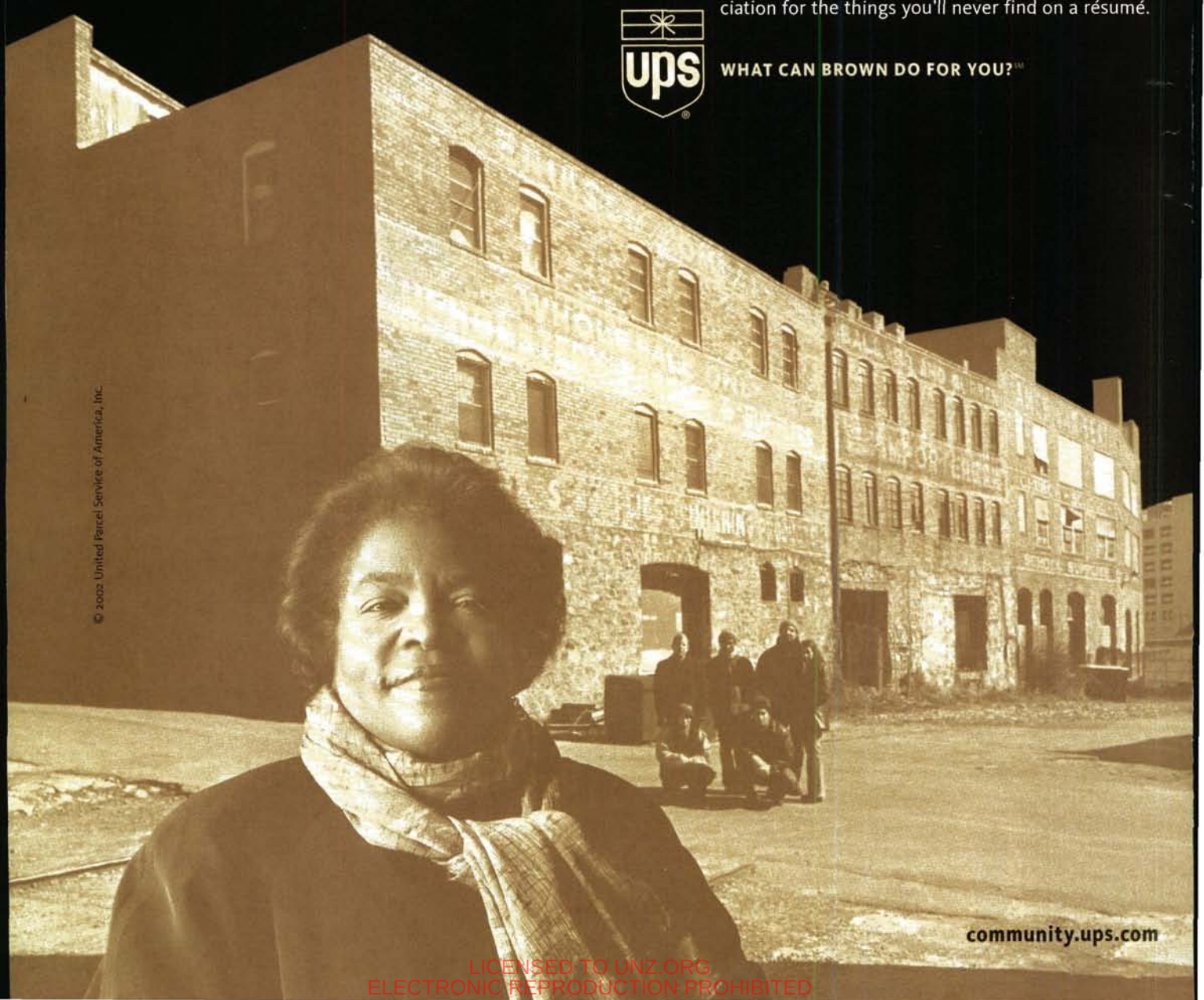

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## Invisible ink

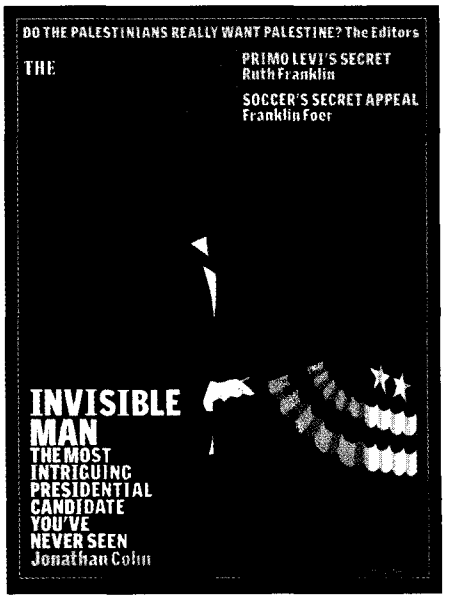
TO THE EDITORS:

In the July 1 cover article, Jonathan Cohn writes that Vermont Governor and presidential hopeful Howard Dean's "tight fiscal management is one reason that Vermont, despite its reputation for wild cultural liberalism, has in recent years earned a business-friendly reputation, which has contributed to the state's strong economy" ("Invisible Man"). It's hard to know what the basis for this claim is, but it couldn't be further from the truth. Vermont isn't remotely business-friendly. Our state has very few good job opportunities, and for that reason it continues to hemorrhage young people—so much so that some of our residents have taken to joking that "Vermont's greatest export is its children." According to statistics available on the Vermont Department of Health website, there was almost a 40 percent increase in the population of 45- to 64-year-olds between 1990 and 2000. At the same time there was a marked population decline for ages five and younger and ages 20 to 44. This suggests that people are moving to Vermont after they have established families and made their money, and that young natives are going elsewhere to do so. In early June, IBM, the state's largest private employer, let go about 1,000 employees at its Essex Junction plant, prompting worried responses from politicians all over the map. Creating new jobs is now the central issue of this fall's gubernatorial race.

Neither our populace nor our Democratic representatives qualify as fiscally conservative. The many social programs Cohn mentions are considerable evidence to the contrary, and they're just the beginning. Vermont is a textbook example of the discouraging effects of overregulation. Act 250, for example, is a 1970 land-management law that makes it extraordinarily difficult to build any large businesses here.

In 1997 Dean himself signed Act 60, a law based on a controversial ruling by the Vermont Supreme Court that effectively equalizes secondary school spending. The law increases funding to poorer towns by compelling those with more substantial tax bases to share their funds and to spend less on their own schools than they did five years ago. How is this fiscally conservative? Is it an accident that our sole representative to the U.S. Congress is Bernie Sanders, who used to identify himself as a Socialist?

As for Dean's statewide popularity, his




election margins have fallen steadily each time he has been reelected. As nice a guy as he seems to be, if he hadn't chosen to retire this year the voters of Vermont would have probably chosen for him.

DAVID DONADIO
*Middlebury, Vermont*

JONATHAN COHN REPLIES:

Vermont's economy may be slowing—like every other state, it is prone to the effects of nationwide recession—but my description of Howard Dean as a fiscal conservative remains accurate. As I wrote in my article, despite Democratic pleas for more spending in the early '90s, he insisted on balancing the budget and reducing Vermont's state income taxes. And despite rising costs in many of his signature programs since then, he has continued to insist on a balanced budget—just as he has continued to thwart more-liberal Democrats who want him to spend even more money. This is one reason that the Vermont business community has generally supported him. As an IBM spokesperson told *The American Prospect*, "For the most part, business has viewed him favorably."

As for Act 60, it calls for shifting school funding from rich districts to poor ones, not for raising overall taxes or running large deficits. And as David Donadio himself notes, it wasn't Dean's idea; it was the Vermont state Supreme Court that mandated the change.

TO THE EDITORS:

THE NEW REPUBLIC would be remiss in not reporting a critical element of the last Vermont gubernatorial election drama. Ruth Dwyer, as Dean's GOP opponent in



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the 2000 election, was the prototypical bane of liberal politics. Her sole platform, as far as I could tell, was to roll back the progressive policies of the last 20 or so years of Vermont's government. In addition to the divisive civil-union law, she was ready to curtail laws governing land development, school funding, the social services network—you name it, she didn't like it. She was to the right of most incumbent lawmakers. In any other year Dwyer would have gotten 10 percent of the vote and been quickly forgotten, but because of the civil-union law (which cost the jobs of several legislators this election) and a strong showing by the Progressive Party candidate (à la Green Party), Dwyer rated a good chance to get the governorship by appointment, due to a newly elected GOP-controlled House and a quirky rule that throws the election into the House if no candidate gets 50 percent of the vote. But in an incredible display of individual sacrifice, Dwyer conceded the election early on Election Night when Dean's majority was seriously in doubt. An obviously tired and relieved Dean expressed his, and no doubt the state's, sincere gratitude to Dwyer. Realizing that she wasn't going to get majorities in any of the counties, Dwyer wanted no part of an appointment. Politicians that respect the electorate do exist; we just can't expect the national parties to field and support them. They have a different agenda.

JOHN HUYSENTRUYT
*Quechee, Vermont*

## Primo's inferno

TO THE EDITORS:
I very much enjoyed Ruth Franklin's discussion of *The Double Bond*, Carole Angier's biography of Primo Levi, whose writings stirred me ("The Experiment," July 1). But Levi wrote, in an essay in *The Drowned and the Saved*, that at last he could sleep well. If that is so, then would it be reasonable to assume that he had made peace with the question of suicide, especially after the discussions with his physical therapist, and was now ready to go without feelings of conflict? "Why no note?" is a question that awaits family revelations before the parlor psychologists and psychoanalysts-at-a-distance dive into dry lakes.

BERNARD ADELMAN
*Winthrop, Massachusetts*

## Blues ally

TO THE EDITORS:
I have never read anything by Rick Moody other than the discouraging excerpts in Dale Peck's excoriating review, but it's hard to see a dog beaten so roundly and not wince in sympathy ("The Moody Blues," July 1). My own wince took the form of thinking that there is more to be said about the words, "The remembrance of our misdoings is grievous to us; the burden of them is intolerable." Peck claims to be baffled and calls the word "misdoings" instead of "misdeeds" an "odd choice" and asks, "Why?" One answer is that the phrases, written in the early sixteenth century by Archbishop Thomas Cranmer, were taken from the Episcopalian prayer book. Why Moody wants to use them is another matter, of course, but a clever reviewer might at least give them the time of day and listen to their effect instead of further thwacking the poor dog of an author with them.

ANNE LAKE PRESCOTT
*English Department*
*Barnard College*
*New York, New York*

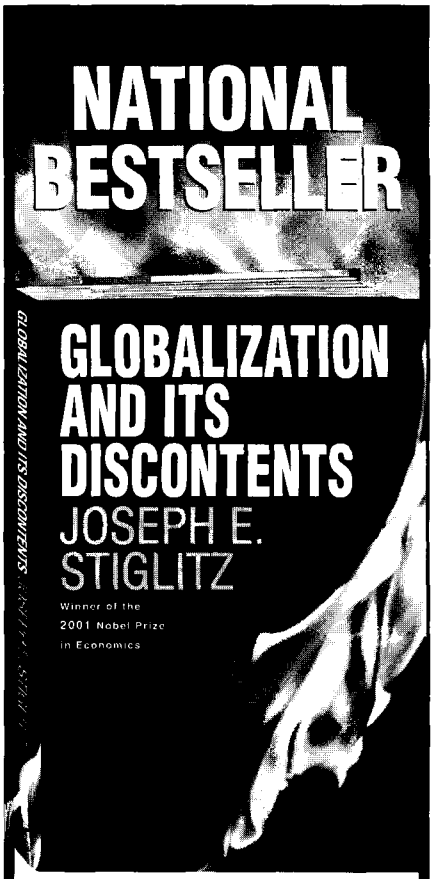
TO THE EDITORS:
Peck places a fellow novelist at the tail end of a "bankrupt tradition" that includes work by Joyce, Faulkner, Nabokov, Barthelme, Pynchon, and "the stupid—just plain stupid—tomes of DeLillo." Admitted to such company, Moody must be walking on air. Other gifted young writers, I suspect, would more than welcome being similarly shelved.

JOEL CONARROE
*New York, New York*

## Keeping score

TO THE EDITORS:
I admit to being one of those American yahoos who does not understand soccer and finds it both tedious and boring—despite several efforts to watch World Cup games ("Fair Ball," by Franklin Foer, July 1). Foer is, however, very wrong on one point he makes. In spite of his examples, there is considerably *more* scoring in baseball and hockey than in soccer. In the World Cup qualifying rounds there were 48 games with an average of only 2.7 goals per game (with only 0.7 scored by the losing team). In contrast, take the Major League Baseball games of June 21 to June 24. In 53 games the average score was 5.9 to 2.6—or more than three times as many scores as in the World Cup. Similarly, in the first round of the Stanley Cup playoffs, the average score was 3.4 to 1.3—almost twice as many goals.

JEFF PASSEL
*Arlington, Virginia* ■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# TRB

FROM WASHINGTON

# Small Talk

IT HAS BEEN more than six months since President Bush began hinting that the United States would attack Iraq. And the Democrats have finally come up with a response: They are in favor of debate. The United States needs "a national dialogue," explained Senator Joseph Biden. A "national dialogue," echoed a spokesman for House Minority Leader Richard Gephardt. In a *Washington Post* op-ed, former Bill Clinton national security adviser Sandy Berger called for an "honest discussion with the American people." As of this writing, the anti-honest-discussion lobby has yet to respond.

There's nothing wrong with all these calls for dialogue. But it's hard to have a useful discussion when only one side knows what it thinks. And right now only one side does. Bush and most Republicans are arguing that the United States should go to war against Iraq; most Democrats are arguing that we should argue about it.

Some Democrats seem to regard their uncertainty as a sign of judiciousness—rather than rushing to judgment, they are waiting for the facts to come in. But the facts won't tell Democrats what to think. Discussing Saddam Hussein's weapons of mass destruction, Biden said last month, "My attitude is we should be like the Missourians: Show me." But the experts who testified before his Foreign Relations Committee stressed how little anyone knows about Iraq's weapons programs. As Senate Intelligence Committee Chairman Bob Graham admitted in early July after touring the Middle East, "[The] central reality is uncertainty."

And Saddam's motivations are even more impervious to empirical analysis than are his capabilities. Let's assume—summarizing an extremely murky conventional wisdom—that Saddam is unlikely to give his weapons of mass destruction to terrorists who might sneak across our borders. But if he is left alone for the next few years he'll likely do something aggressive closer to home—against Israel, the Kurds, or maybe Saudi Arabia—and use his weapons of mass destruction as blackmail to keep the United States from responding.

Is it worth risking American casualties to make sure that doesn't happen? Expert testimony can't answer that. For that matter, neither can national dialogue. After all, the United States dialogued for five months before the Gulf war; in the end the Senate voted almost exactly as you would have predicted on the day Saddam invaded Kuwait. The Democrats don't need more information about war with Iraq. What they need is a theory about how post-September 11 international relations work.

Bush has a theory: preemption. His idea is that containment—the first hallmark of cold war U.S. foreign policy—won't work against terrorists and mad dictators who want to wreak havoc at least as much as they want to capture territory. And that deterrence—the second hallmark—won't work against fanatics who aren't fazed by the prospect of massive retaliation. So the United States must destroy them before they destroy us.

So far Democrats have quibbled with the details of Bush's Iraq strategy, but, because they haven't addressed the preemption theory that underlies it, those quibbles haven't been very compelling. Al Gore recently said, "If the rest of the world does not see what it regards as a sufficient provocation to justify an invasion by the United States, then the diplomatic cost would be extremely high." But "the rest of the world" (i.e., our European and Arab allies) doesn't see "sufficient provocation" because it thinks the old rules still apply, that you don't preemptively attack bad regimes just because they could threaten you down the road. If Gore agrees, then that—and not French and Egyptian opposition—is the reason not to go to war. And if he doesn't—if he thinks the cold war rules *have* changed—then allied opposition, while unfortunate, isn't reason to hold off. Making international opposition the primary rationale for opposing war with Iraq is essentially a way for Democrats to outsource the moral and strategic thinking they need to do themselves.

The Democrats' other objections also miss the larger point. They worry that Iraq might respond to a U.S. attack by launching chemical weapons. But we can't know whether it will or not. If you agree with Bush—that Saddam will eventually launch those weapons anyway—it's a risk worth taking. If you don't, it's not. Similarly, Biden has suggested that the United States shouldn't go to war without giving the weapons inspectors another chance. But it's a virtual certainty that even if Saddam were to let the inspectors back in, he would eventually place roadblocks in their path. Which would just raise the question of war once again.

I think Bush is right about preemption. For one thing, we *aren't* containing Saddam now—he's been free to build up his chemical, biological, and nuclear arsenal for almost four years now. And given the improbability of Saddam's allowing weapons inspectors free rein, not to mention the waning international support for Iraqi sanctions, it's unlikely we can contain him any better in the future. It's impossible to predict Saddam's behavior, but his history with Iran, Kuwait, and the Kurds suggests there's a pretty good chance he'll use whatever weapons he develops to try to dominate his neighbors. And while he might be deterred by the threat of American retaliation, the whole point of acting now is that once Saddam has, say, a nuclear bomb, he'll also be able to deter us.

What makes the Democrats hesitate, I suspect, is a sense that the Bush team's political isolationism will ultimately undo whatever good its military internationalism achieves—leaving the United States more isolated and ultimately weaker. But the answer isn't for Democrats to mimic Europe's support for a containment that no longer contains. It's to advocate what might be called "preemption plus." The premise would be that if we want our war with Iraq to leave the United States more respected in the world, rather than merely more feared, it must be accompanied by a corresponding political intervention—i.e., nation-building. The Bush administration talks about building a showcase Muslim democracy in post-Saddam Iraq, but its track record on nation-building and democratization is awful. In Afghanistan its opposition to a nationwide peacekeeping force has weakened Hamid Karzai's fledgling government. And in Pakistan the Bushies have watched approvingly as Pervez Musharraf has betrayed his democratic promises, leaving himself—and the United States—more and more isolated.

Focusing on the political corollary to military intervention in Iraq would draw attention to the lingering GOP isolationism and relativism that undermine the Bush administration's war on terrorism. It would also serve as the logical moral successor to liberal anti-communism, which stressed the role of development and human rights in containing Soviet expansion. And it would ensure that Democrats are not bystanders as the United States marches to war. A national dialogue on Iraq is all well and good. But first the Democrats must have something to say.

PETER BEINART



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# People Skills

WHAT IS THE greatest obstacle facing the Democrats as they seek to win Congress this fall and regain the White House in 2004? President George W. Bush's post-September 11 popularity? Public distrust of Democrats on foreign policy? Guns and rural voters? If you attended last month's Democratic Leadership Council (DLC) conference, you might have come away with the impression that it is none of the above but, rather, the Democrats' penchant for coming down too hard on business. DLC favorite son Joe Lieberman charged that in the 2000 campaign, Al Gore's "economic populism stuff... made it more difficult for us to gain the support of middle-class, independent voters who don't see America as 'us versus them.'" An article on the DLC's website warns that Democrats must "be vigilant against 'populist' efforts to exploit the corporate scandals."

To be sure, 2000 may not have been the best year for Gore to make populism the centerpiece of his campaign. The economy was booming; Kenneth Lay and Bernard Ebbers were being lionized as heroes of American capitalism; and Gore, having presided over all the good news as vice president, could have spent more time taking credit for it. But even then it's hardly an open-and-shut case that populism did in Gore—after all, the days following his ultra-populist acceptance speech at the Democratic National Convention produced a whopping 19-point surge for the Democratic ticket *among Independents*. And if populism was a mixed bag for the Democrats two years ago, the political environment is unquestionably more conducive to it today. The public, worried that corporate skulduggery will bring down a weak economy, overwhelmingly backed Democratic proposals for corporate reform. According to a recent *New York Times* poll, 72 percent of Democrats and Independents and 51 percent of Republicans think "big business has too much influence over the Bush administration." Indeed, even Bush himself has been harshly admonishing CEOs in language that, if uttered by a Democratic presidential hopeful, would almost certainly be considered angry populism.

The DLC's concern stems from a basic misunderstanding about what populism is and what it is not. According to DLC Executive Director Al From, the original nineteenth-century Populists sought "to destroy the capitalist system." If that were in fact the case, the Dems would certainly be wrong to emulate them. But it isn't. The original Populists were primarily small-farmers who saw themselves as the political descendants not of Marx and Engels but of Jefferson and Jackson. Their enemy was not capitalism but government-subsidized monopolies, which, they believed, undermined the promise of market capitalism. They didn't divide society into proletariat and bourgeoisie but, like good Jacksonians, into the "producing classes" (including businessmen, workers, and farmers) and "plutocrats" (who lived off the labor of others and used their wealth and power to demand favors from government). It's true, of course, that American populism has always had a dark side—visible from Pitchfork Ben Tillman to George Wallace to Ross Perot—but even here the problem hasn't been Marxism but a tendency toward bigotry and paranoia.

The DLC contrasts populism with progressivism, but in many ways populism was progressivism's forebear. Many populist demands—such as the eight-hour day, direct election of senators, and the graduated income tax—were adopted by progressives and liberals. And the Democratic populism of today—the populism that worries From—falls squarely within this tradition. Consider the reforms the Democrats have pushed in the wake of this summer's corporate scandals. The party has pushed for independent oversight of accounting firms, upped the penalties for CEOs who mislead investors, and tried to ban corporations from moving offshore to avoid taxes. These aren't efforts to destroy capitalism; they're efforts to make it work—not only for millions of individual and institutional investors but also for the many companies that adhere to sound, honest business principles and have to compete with those that don't.

Far from demonizing corporate America, Democrats have been at pains to make exactly this point. As House Minority Leader Dick Gephardt put it in his speech at the DLC conference, "[M]ost American businesses, and most American businesspeople, are responsible and do run good businesses and do recognize opportunity and responsibility and community." Or as Gore reiterated in his recent *New York Times* op-ed: "'[W]hen powerful interests try to take advantage of the American people, it's often other businesses that are hurt in the process'—most of all, smaller companies that play by the rules." This is the kind of balanced, reformist populism the Democrats need more of, not less. It's in their best tradition, and it might just win them back Congress, too. ■



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# NOTEBOOK

**PLEDGE OF ALLEGIANCE:** The peculiar thing about last week's "flap" between Joe Lieberman and Al Gore over their 2000 campaign's populist rhetoric is that there was nothing very new about it. When Lieberman criticized Gore's "people versus the powerful" theme at a roundtable with Washington political reporters on the eve of the centrist Democratic Leadership Council's (DLC) annual summit in New York, the media treated it as the opening salvo in a showdown between the two men—possibly even the first sign that Lieberman might be preparing to break his pledge not to run for president in 2004 if Gore does. But that analysis ignores the fact that Lieberman has been saying virtually the same thing for quite some time. In fact, at the DLC's last annual conference, held in Indiana in 2001, Lieberman told reporters that Gore's slogan was "too subject to misunderstanding"—almost the same words he used this time around. (Lieberman's words were even echoed by none other than Hillary Clinton, who added, "[A]t times the rhetoric obscured the New Democrat agenda that was at the heart of the campaign.") Lieberman aides insist the senator said nothing new last week and only addressed the subject of the 2000 Gore campaign after persistent questioning from reporters who seemed determined to drive a wedge between Lieberman and Gore. Lieberman was probably surprised by the flap his recycled comments generated. Assuming he really wants to maintain warm relations with Gore, he might want to cut back on those meetings with overzealous political reporters.

**WHAT'S MY LINE?** Mississippi Senator Trent Lott has never exactly distinguished himself on matters of foreign policy. In his youth at Ole Miss he evaded Vietnam with a military exemption—presumably his work as a top member of the school's cheerleading squad made him invaluable stateside. In his 30 years in Congress his expertise on military affairs has rarely extended beyond clever schemes to siphon defense dollars to shipbuilders in his home state. In 1999, along with Tom DeLay, he led the isolationist wing of the Republican Party in opposing intervention in Kosovo, arguing idiotically, "I think, as Jesse Jackson would say, give peace a chance here." With the change of administrations, however, Lott has undergone a dramatic change of heart, transforming himself from überisolationist to überhawk. Having made a fetish of the War Powers Act during Kosovo, he now dismisses it as irrelevant. Last week he became the only member on Capitol Hill to argue not only that there was no need for the president to obtain congressional authority to invade Iraq but that even debating the idea threatened national security. "You know, what do they want us to say?" Lott lectured. "'Oh, Mr. Saddam Hussein, we're coming. We're coming. Get ready. You can expect us, you know, two weeks after Election Day. And by the way, here's the way we're coming. But before we do that, we'll have a huge debate so you'll know full well exactly what's going on.' Give me a break." Putting aside the substantive case for President George W. Bush to seek new congressional authority (it is highly dubious that the post-September 11 resolution authorizing force against Al Qaeda grants Bush the power to extend the war to Iraq), does Lott really believe Saddam is currently ignorant of plans to topple his regime? In fact, not even the Bush administration has yet criticized the idea of a new congressional resolution or argued that Bush has all the authority he requires to attack Iraq. Which is perhaps why a few days later, on ABC's "This Week," Lott was in full retreat, conceding there was nothing nefarious about debating a war resolution, after all, and admitting that he would probably vote for one. Perhaps the next time the Bush administration decides there are certain arguments too laughable even for them, they'll inform the Senate minority leader first.

**FAMILY LOBBY**: Last Sunday *The New York Times* delivered a long-overdue story on the way close relatives of congressional leaders cash in on their last names with Washington lobbying gigs. We didn't expect much in the way of credible moral justifications from the likes of Joshua Hastert, the tongue-pierced son of House Speaker Dennis Hastert who formerly ran a record label named Seven Dead Arson. ("[A] lot of offices think I have more pull than I really do, so I have to work twice as hard," Hastert pleaded inanely.) But we had higher hopes for Linda Daschle, wife of Senate Majority Leader Tom, who lobbies lucratively on behalf of the airline industry. Daschle, who worked as a lobbyist before she married her husband, falls into a somewhat different category than craven opportunists like Hastert the younger (or the sons of Senate Republican Leader Trent Lott and Senate Democratic Whip Harry Reid, also well-paid novice lobbyists). But that makes the glib evasions she offered the *Times* even more pathetic. "Why," Mrs. Daschle asked coyly, "should a spouse, just because she is married to a high-profile public official, have to walk away from a career?" Um, maybe because the career in question involves pushing a particular industry's legislative agenda, and her husband is the nation's most important legislator? Daschle also argued that because she lobbies only the House, she has effectively recused herself from her husband's work—which would be true if the Constitution didn't mandate that all legislation ultimately pass both houses of Congress. But saddest of all was Mrs. Daschle's assertion that the staff members she lobbies "are pretty junior and may or may not know who I am." If this ridiculous claim were true, and Daschle indeed worked primarily with staffers too clueless to recognize her last name, it could mean only one thing: that she's the most overpaid lobbyist in Washington.

**IDIOCY WATCH, CONT'D:** "If [Major League Baseball] players want to strike, they ought to just pick September eleventh, because that's what it's going to do to the game.... If they do walk out, make sure it's September eleventh. Be symbolic. Let [the players' union executive director] drive the plane right into the building if that's what they want to do." —Cincinnati Reds General Manager Jim Bowden, August 1



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**THE SHERIFF-OF-NOTTINGHAM PARTY:** At last the results of the Republican revolution are in. When the GOP took control of Congress in 1995, it promised to scale back government across the board—"shared sacrifice," as then-Budget Committee Chairman John Kasich put it at the time. Well, this week the Associated Press studied the changes in federal spending that have taken place under Republican control, and the outcome turns out to have been neither shared nor, from the point of view of Republican constituents, sacrifice. Rather, Congress mainly shifted programs away from Democratic districts and toward Republican ones. In the 1995 budget—the last one written by a Democratic majority—the average Democratic district received $35 million more than the average Republican district. By 2001 the average Republican district received a whopping $612 million more than the average Democratic one. This turnabout might seem like fair play but for one fact: Democratic districts tend to be poorer and thus in greater need of help from the federal government. These days they're not getting it. For six years Republicans have cut programs that help the struggling—such as child care food programs and public housing—and raised spending on programs that help the relatively well-off, such as farm subsidies and business loans. House Majority Leader Dick Armey offered this gloating explanation for his party's efforts at upward redistribution: "To the victor go the spoils." Now there's a moral basis for government.

**THE BAD FIGHT:** Bill Clinton—who, like his successor George W. Bush (and unlike Al Gore, John McCain, and John Kerry), took frenzied steps to avoid Vietnam—may go to war yet. Or so he said at a Zionist dinner in Toronto on July 29. If the Jewish state were really threatened, Clinton said, he'd "grab a rifle and get into the trench and fight and die" for Israel. These words brought the crowd to its feet. Well, Israel is in peril—or at least the lives of Israelis are—and one of the reasons is Bill Clinton, who blessed (and even funded) the emerging terrorist protostate that he now implicitly vows to take up arms against. But our former president would surely be of little service in uniform to Israel or any other country. Far more appropriate would be a simple apology.

**OUR SON ALSO DESCENDS:** The Rantisis are having an extremely peculiar marital tiff. He is Abdel Aziz Rantisi, a high-ranking zealot in Hamas, the organization that prides itself on bestowing more suicide "martyrs" upon the Palestinian cause than does any other organization. She is his wife, Umm Mohammed Rantisi—"mother of the prophet," after whom they have named their son. This fight is, as fights so often are, about the children. Apparently when young Mohammed Rantisi did not show up at the usual militants' drill with the other "guys from the mujahedin," a movement activist called to inquire. His mother explained (according to a phone call tapped by Palestinian intelligence and now in Israeli hands) that Mohammed had been asleep, having stayed up all night studying. Her caller then reported, "[Y]our son has been chosen to become one of the martyrs.... Hamas hope[s] that your son will ... go all the way for the Palestinian people." To which Mrs. Rantisi replied that Mohammed "is not involved with any of that. I bless you, but my son is busy with his studies.... I do not know people like you." Publication of this dialogue must have been rather embarrassing to Abdel Rantisi, given that it underscores an uncomfortable reality about the young suicide bombers blowing themselves up for the Palestinian cause: Not one has come from a prominent Palestinian family. And so Mr. Rantisi told Agence France-Presse that he encourages all Palestinians, including his son, to carry out suicide attacks—in other words, he blesses the practice of child sacrifice that has turned many Palestinians into de facto worshippers of Moloch. Class divisions may define other features of Palestinian society but when it comes to murder, the Hamas leader seemed to be trying to say, egalitarianism reigns.

**WHEN METAPHORS ATTACK:** "An antique .38-caliber pistol accidentally discharged as it was being handled by Rep. Bob Barr during a reception in his honor.... Georgia lobbyist Bruce Widener said Tuesday that he had removed the magazine from his 1908 Colt but did not clear the chamber before handing the weapon to Barr, a board member of the National Rifle Association. ... Barr is locked in a tight Republican primary with fellow incumbent John Linder in Georgia's redrawn 7th Congressional District. Barr has tied his NRA endorsement closely to his campaign."—Associated Press, August 7

**ZERO-SUM POLITICAL ANALYSIS:** "Both parties will pay a steep price at the polls."—Senator Zell Miller, on the Senate's failure to pass a prescription-drug benefit, *The New York Times*, August 1 (Thanks to Dan Kennedy.)

**HOME NEWS:** Perceptive readers of Notebook may notice that for the first time in 21 months the section is unadorned by the colorful wit of cartoonist Tom Toles. To our great sadness, Tom has left our pages (and those of his hometown paper, *The Buffalo News*) to become the editorial cartoonist for *The Washington Post*, a position considered the premier platform for editorial cartooning in the nation. Tom said recently that he uses the cartoon "as a vehicle of opinion rather than humor," so it is perhaps unsurprising that he fit so seamlessly into these pages. Indeed, sometimes a little too seamlessly: More than once we had to turn down a cartoon because it overlapped too closely with our own content, conveying with bobble-headed caricatures and a few lines of text the same ideas that took us pages of copy to express. In short, Tom is not simply the nation's best editorial cartoonist but one of its sharpest writers of political opinion. His predecessor at the *Post*, the legendary Herblock, was the paper's editorial cartoonist for more than half a century. We look forward to opening the *Post* to Tom's work for at least that long. ■



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## Say good-bye to the good bureaucrat.

# Home Office

*By* SPENCER ACKERMAN

DOUGLAS M. BROWNING has enjoyed a long and distinguished career with the United States Customs Service, garnering a slew of merit- and performance-based awards over the past 25 years. But Browning's topmost advancement came this past April when he was appointed deputy commissioner of the Customs Service. The deputy commissioner's job is part of the Senior Executive Service (SES), the crucial group of upper-level civil servants who ensure the policies dictated from the politicos above them are implemented by the bureaucracy below. For a civil servant like Browning to ascend to a career SES job, the Office of Personnel Management (OPM) must determine that his "commitment to public policy and administration transcends [his] commitment to a specific agency mission or an individual profession." Political appointees can hold SES jobs without undergoing this OPM review; but to ensure that this doesn't compromise the Service's high standards, the Civil Service Reform Act of 1978 stipulates that no more than 10 percent of SES positions government-wide can be staffed by political appointees.

Browning's crowning achievement, however, may be short-lived. His job, along with 170,000 others, may soon fall under the aegis of the Department of Homeland Security (DOHS). And if President George W. Bush gets his way, DOHS will be exempted from the statutory requirements governing the civil service. "It is important that we have the managerial flexibility to get the job done right," Bush declared in threatening to veto any bill that did not grant the department an exemption. And at first glance Bush's logic makes sense. After all, the last thing the United States needs is for its war on terrorism to be hamstrung by incompetent government workers.

But when it comes to SES, the issue isn't protecting incompetent bureaucrats from accountability; it's protecting the *most* competent bureaucrats from political meddling. Before 1978, top jobs in the federal bureaucracy usually went to political appointees—who were often either incompetent hacks or, worse, competent partisans who skillfully politicized government agencies. To take one particularly infamous case, some of Nixon's appointees to the Internal Revenue Service purposely audited the president's enemies.

The Civil Service Reform Act explicitly created SES in order "to ensure impartiality, or the public's confidence in the impartiality, of the Government." And today, largely as a result, the people who direct the day-to-day functions of the bureaucracy (if not all the people who work below them in that bureaucracy) are generally competent, high-performing professionals—people like Douglas M. Browning. In Bush's effort to secure a free hand to administer what he considers an indispensable department, in other words, the president might end up dispensing with the indispensable bureaucrats who would staff it.

SES guards against politicization of the bureaucracy through its vigorous vetting procedures. First OPM reviews the jobs each agency creates to ensure they deserve SES status. Then OPM supervises an "independent peer review"—conducted by a three-person panel, two of whom are career civil servants themselves—of each individual career civil servant who applies to SES. Under Bush's flexibility proposal, this vetting might not occur in the DOHS. Or it could change in disturbing ways. A "flexible" peer review, as opposed to an independent one, could be conducted under the auspices not of OPM but of the department itself—meaning the review board, staffed by members of the department, would have to pass judgment on candidates the administration itself put forward. In other words, the review process—meant to ensure that SES jobs are held only by the most talented professionals—would become a virtual rubber stamp. "It would take a real act of courage, if not a suicidal inclination, by an executive—especially one with children in college and a mortgage to pay—to veto his or her superior's selection of an unqualified candidate," says Carol Bonosaro, president of the Senior Executives Association (SEA).

And a politicized DOHS could be a nightmare. Just consider some of the government agencies and offices that will be put under the new department's umbrella—and the havoc those agencies and offices could wreak if their top jobs were to be filled with political appointees instead of career civil servants. The Customs Service, for instance, could impede—through selective inspection—the imports of certain companies that contribute to one or the other political party. The Federal Emergency Management Agency could steer its public assistance grants to local governments and nonprofits the administration deems politically sympathetic and away from those it does not. Finally, there's the National Infrastructure Protection Center (NIPC). Currently housed in the FBI but slated to be shifted to the DOHS, NIPC is responsible for assessing and informing the government and the private sector about the threat terrorism poses to certain institutions (like banks, communications networks, and transportation systems). As part of this task, the NIPC routinely requests potentially sensitive information from private-sector firms such as those in the financial-services industry, which has a NIPC partnership for information exchange. Such information could easily be used for nefarious political purposes. And even if it weren't, the mere fact that the information was being requested and handled largely by political appointees might cause some firms—already averse to coughing up information—to stop cooperating with NIPC's exchange partnership altogether.

The White House insists it has no plans to replace career civil servants with political appointees. But that's ultimately



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# American Interests and Geopolitical Realignment

**Thomas Henriksen is a senior fellow and associate director at the Hoover Institution.**

Geopolitics is not something Americans spend a lot of time thinking about; we leave that to Foggy Bottom types. But recent developments on the international landscape warrant much more attention than they have attracted.

The Bush administration's success in moving Russia closer to the West represents a remarkable change in geopolitical alignment. **The 1990s witnessed an emerging anti-American partnership between former adversaries Russia and China, which Washington seemed powerless to impede.**

For much of the past decade, Beijing has wooed a weakened post-Soviet Russia by evoking common extremist threats and resentment of U.S. superpowerdom. Last July, China obtained Russia's signature on the Treaty of Good Neighborliness, Friendship, and Cooperation, which, among other things, recognized Beijing's claim to Taiwan and further pitted the two states against U.S. intervention by highlighting the role of the United Nations.

The broadening Sino-Russian entente began to raise red flags. Instances of converging interests strengthened these misgivings: China buys Russian ships and planes for its offshore agenda. Both fight separatists in Central Asia's former Soviet republics, some of whom infiltrated western China. Beijing, the senior partner in the Russo-Chinese corporation, has been gaining influence in Inner Asia as Moscovite power recedes. Behind China's gambit is the quest for access to the vast oil and gas reserves in Inner Asia.

By forming closer relations with the Kremlin, the Middle Kingdom also hopes to break out from its perceived American encirclement and secure its northern border in an effort to pursue a more assertive posture, or "forward policy," in the Pacific.

Ostensibly, Beijing and Moscow consummated their romance this June when Presidents Jiang Zemin and Vladimir Putin cosigned the Shanghai Cooperation Organization charter—along with Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan—which strengthens previous treaties on reducing forces along mutual borders and cooperating against terrorism and separatism. But appearances fooled no one, especially not China, for it understands Moscow's recent pro-Western tilt.

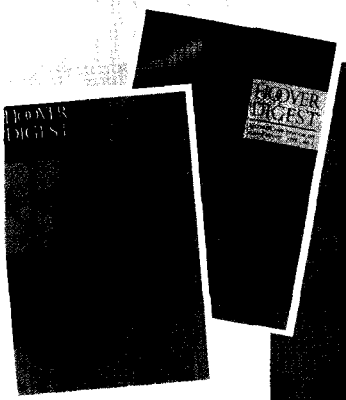
At the beginning of the Bush presidency, China's ascendant economy, size, and ambition seemed poised to confront a United States estranged from Russia and assailed by Europe for its unilateralism.

George W. Bush, however, succeeded in undermining this looming Moscow-Beijing axis by drawing Putin into the U.S. antiterrorism campaign, attaining the Kremlin's acquiescence in the deployment of U.S. forces in Central Asian republics, defusing its resistance to Washington's pullout of the ABM treaty, and assuaging its opposition to NATO's eastward enlargement by granting it greater sway with the NATO-Russia Council in May. For Russia, it gets a more reliable partner with the United States plus the benefit of having the United States in Central Asia.

Thus the Bush administration should receive as much acclaim as Richard Nixon did thirty years ago for realigning China on America's side against the Soviet Union. In the present case, **Bush has moved Russia closer to the West and outflanked China on the strategic chessboard.** This statecraft could result in a genuine realignment benefiting the West and Russia. Now it's time to turn our attention back to China and continue to engage it in a twenty-first-century framework of security for the great powers.

*— Thomas Henriksen*

Paid for by the Hoover Institution, Stanford University.

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beside the point, because, whatever Bush's intentions, the exemption he's seeking would authorize any president to get rid of SES. And once the department is established on Bush's terms, nothing statutory would prevent *subsequent* administrations from politicizing its day-to-day functions.

The simplest solution to this problem is to stipulate in the legislation creating DOHS that the new department, while exempted from other civil service protections, must abide by SES rules. "If they do intend to [keep] SES in the Department of Homeland Security as it exists in current law, why don't they just put it [in the bill] as one of those things that can't be touched?" asks SEA lobbyist Bill Bransford. In fact, Connecticut Senator Joseph Lieberman has drafted an alternative bill that leaves SES more or less untouched.

But that is precisely the bill Bush has threatened to veto on the grounds that it doesn't give the new department enough flexibility. "A time of war is the wrong time to weaken the president's ability to protect the American people," Bush said when he threatened the veto. It's also the wrong time to undermine the independence and integrity of the bureaucrats whom Bush is counting on to provide that protection. ■

## Tel Aviv Dispatch

# Refugee Status

*By* YOSSI KLEIN HALEVI

TAYSEER, AS WE'LL call him, a 21-year-old Gazan whose constant smile tries to conceal watchfulness, learned early on that to be gay in Palestine is to be a criminal. Three years ago his older brother caught him in bed with a boyfriend. He was beaten by his family, then warned by his father that he'd strangle Tayseer if it ever happened again.

It happened again a few months later. Word gets around a refugee camp, and a young man he didn't know invited Tayseer into an orange grove. The next day he received a police summons. At the station Tayseer was told that his sex partner was in fact a police agent whose job is to ferret out homosexuals. If Tayseer wanted to avoid prison, he too would have to become an undercover sex agent, luring gays into orchards and turning them over to the police.

Tayseer refused to implicate others. He was arrested and hung by his arms from the ceiling. A high-ranking officer he didn't know arranged for his release and then demanded sex as payback. Tayseer fled Gaza to Tulkarem on the West Bank, but there too he was eventually arrested. He was forced to stand in sewage water up to his neck, his head covered by a sack filled with feces, and then he was thrown into a dark cell infested with insects and other creatures he could feel but not see. ("You slap one part of your body, and then you have to slap another," he recounts.) During one interrogation, police stripped him and forced him to sit on a Coke bottle. Through the entire ordeal he was taunted by interrogators, jailers, and fellow prisoners for being a homosexual.

When he was released a few months later, Tayseer crossed into Israel. He now lives illegally in an Arab Israeli village and works in a restaurant. His dream is to move to Tel Aviv. "No one there cares if you're gay," he says. These days, though, he knows that an illegal Gazan in Tel Aviv risks being deported and that he's safest staying where he is.

And if he were sent back to Gaza? "The police will kill me," he says. "Unless my father gets to me first."

WITH BOMBS ONCE again exploding all over Israel, and the Palestinian territories under seemingly permanent curfew, the woes of Palestinian homosexuals haven't exactly grabbed international attention. But after spending two days with gay Palestinian refugees in Israel, I began to wonder why the liberal world has never taken interest in their plight.

Perhaps it's because that might mean acknowledging that the pathology of the nascent Palestinian polity extends well beyond Yasir Arafat and won't be uprooted by one free election. Indeed, the torment of gays is very nearly official Palestinian policy. "The persecution of gays in the Palestinian Authority [P.A.] doesn't just come from the families or the Islamic groups but from the P.A. itself," says Shaul Ganon of the Tel Aviv-based Agudah-Association of Gay Men, Lesbians, Bisexuals and Transgender in Israel. "The P.A.'s usual excuse for persecuting gays is to label them collaborators—though I know of two cases in the last three years where people were tried explicitly for being homosexuals." Since the intifada, Ganon tells me, Palestinian police have increasingly enforced Islamic law: "It's now impossible to be an open gay in the P.A."

A gardener we'll call Samir, who has fled the territories for Israel, told me of a gay friend who was a member of the Palestinian police and ran away to Tel Aviv: "After a while he returned to Nablus, where he was arrested by the Palestinian police and accused of being a collaborator. They put him in a pit. It was the fast of Ramadan, and they decided to make him fast the whole month but without any break at night. They denied him food and water until he died in that hole."

International human rights monitors have all but ignored gay Palestinians' plight. The U.S. State Department's recently released human rights report for 2001, for instance, blandly notes, "In the Palestinian territories homosexuals generally are socially marginalized, and occasionally receive physical threats." As Ganon explains it, "The Palestinian human rights groups are afraid to deal with the problem. One Palestinian activist told me that Israelis need to raise the issue because they'll be shut down if they try to. Amnesty Israel is sympathetic but their mandate is limited to Israeli human rights violations. And the international human rights groups say they've got a long list of pressing issues. When Israeli police harass Arab Israeli homosexuals, I send out reports, and then—oh, you should see how quickly the



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**Where We Stand**

*A commentary on public education and other critical issues*

# Coming Up Short

**By SANDRA FELDMAN, President**
**American Federation of Teachers**

When charter schools first appeared, some 10 years ago, many of us who were committed to school reform had high hopes. Charter school supporters proposed a bargain: These schools, which were to be run by people who presumably had exciting and untried ideas about education—primarily teachers, but also community-based groups, private business, or groups of educators and parents—would be freed from most of the rules and regulations and oversight that govern public schools.

With all this creativity unleashed, charter schools would soar, children would flourish, achievement would rise, and the practices these schools developed would provide models of excellence that traditional public schools could use. So it's a big disappointment to find how little the freedom from "bureaucratic regulation" has achieved.

A new AFT study, *Do Charter Schools Measure Up? The Charter School Experiment After 10 Years*, surveys data on the 2,119 schools in the 37 states with laws that permit charter schools. It finds that, while some charter schools are successful, most are not innovative nor do they improve student achievement. The report has already been attacked by those who don't distinguish between legitimate criticism and condemnation.

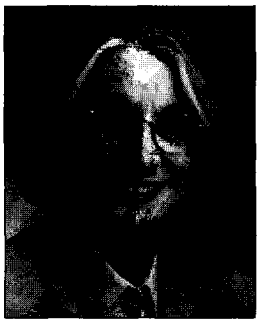
## Disappointing Results

Three-quarters of the state laws governing charter schools specify "innovation" as a goal, but charter schools have produced few innovations, and most of their new practices are unrelated to teaching and learning. So, unfortunately, charter schools have little to teach other public schools about how to raise student achievement and little influence on continuing efforts to improve education through reform.

Nor, as far as we can tell, have charter schools been successful in raising achievement among their own students. Some states don't require charter schools to provide the information that would allow a comparison with achievement in traditional schools. Other states have been lax in collecting or evaluating it. But judging from data that are available, while some charter schools improve student achievement, most do not. What the Texas Center for Educational Research concluded about Texas charter schools may very well hold true for charters elsewhere:

> *If parents were interested in choosing schools with higher test scores, they should have considered enrolling them in the traditional public school.*

Although we don't see more innovation or higher student achievement in most charter schools, we do see higher administrative costs and higher teacher turnover. There has always been criticism of excessive administrative costs in public schools, but we were told that charter schools, freed from bureaucratic constraints, would put less money into administration and more into the classroom. This, too, turns out to be wishful thinking. The average charter school spends more money on administration and less on instruction than other public schools.



*Most charter schools have so far failed to deliver what was promised.*

And, if we are to judge by turnover rates, teachers often find charter schools a disappointment. Several studies report high teacher turnover, which is significant, given the fact that teachers who work in charters have made a special point of choosing them over other schools.

It is not difficult to find reasons for this disappointing showing. A number of state charter laws are too broad. In Arizona, California, Florida, Michigan, Ohio, and Texas, for example, nearly anyone can start a charter school—and more than half of existing charter schools are located in these six states. In other states, officials don't focus on student achievement when they are deciding whether to renew a school's charter. This skimpy oversight by the state explains why 200 charters (one-tenth of the total) have collapsed and closed down, some in the middle of the school year, and why many more lackluster schools continue from year to year, without getting the attention of any state official—something that can no longer happen with traditional public schools.

## Some Important Questions

I still favor the idea of charter schools. In New York City, the local teachers' union has worked over the years to encourage and establish small schools that have produced good results for students and become models for what works. I was personally involved in that effort, and I believe that kind of work should continue. There are other successful charter schools, like the very first one, the City Academy in St. Paul, Minnesota. But questions must be asked and answered. How many charter schools provide a good alternative to public schools? How many are being held accountable? A decade ago, charter schools agreed that their existence would be contingent on producing results—that is, better student performance. In the interim, states have become serious about public school accountability. It's time for charter schools to live up to their part of the bargain. ▮

*(The full charter school report is available on the AFT web site at www.aft.org/edissues/downloads/charterreport02.pdf.)*

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human rights organizations get in touch with me to investigate. The hypocrisy is unbelievable."

Because the world hasn't forced the P.A. to tolerate gays, Palestinian homosexuals are increasingly seeking refuge in the only regional territory that does: Israel. In the last few years hundreds of gay Palestinians, mostly from the West Bank, have slipped into Israel. Most live illegally in Tel Aviv, the center of Israel's gay community; many are desperately poor and work as prostitutes. But at least they're beyond the reach of their families and the P.A.

Still, for these refugees life in Israel means subsisting on the margins. Ganon, my guide to the community, heads the Association's outreach to Palestinian gays. He is a big man with a goatee who spends his nights on the Tel Aviv streets where Palestinian gay prostitutes gather, providing food and clothes and trying to keep them off drugs and out of jail. Over the last four years Ganon has waged essentially a one-man campaign to try to interest human rights groups in Israel and elsewhere in their plight. He's helped about 300 Palestinian gays in Israel and estimates that probably twice that many currently live here illegally without access to legal employment or health care and under constant threat of deportation. "No one here cares about us," says Samir, the gardener, who lives with his Israeli boyfriend. "I've written to all the government ministries, to all the newspapers, asking for my status to be recognized. No one even bothers answering."

According to Ganon, during the last year police have generally stopped arresting and deporting Palestinian gays because of his efforts. He has even worked out a quiet arrangement with Tel Aviv police, providing them a list of Palestinian gays under his sponsorship and providing those gays with Association membership cards to show their affiliation. The goal is to reassure local police, who are primarily on the lookout for Palestinian terrorists, that these Palestinians pose no threat. (The exceptions to this arrangement are Palestinian gays with security records and those from Gaza, whom the Israelis see as inherent security risks because of Hamas's popularity there.) Some Palestinian gays, though, say they see no recent change in police policy and still feel hunted.

An American we'll call William finds himself in the Palestinian gays' no-man's-land. Last year he and his Palestinian boyfriend, whom we'll call Ahmad, moved into Ahmad's West Bank village—a move that in retrospect seems mad. "We told the people in the village that we were friends, and for a while it worked," says William. "But then one day we found a letter under our door from the Islamic court. It listed the five forms of death prescribed by Islam for homosexuality, including stoning and burning. We fled to Israel that same day."

Now they live in hiding—mostly from Ahmad's brothers, who have searched for the couple in Tel Aviv and threatened to kill Ahmad. Though William has appealed to human rights groups around the world, and to the U.S. Embassy for an American visa for Ahmad, he's gotten little response. One American gay-advocacy group offered to help Ahmad get asylum after he arrives in the United States. But getting him there is precisely the problem, and William refuses to leave without Ahmad. And so here they are, an American Christian and a Palestinian Muslim stranded in the Jewish state, with no money and no work, living off the charity of friends, dreading the reappearance of Ahmad's brothers, and waiting for help they know will almost certainly not come.

On a recent humid Tel Aviv night, in an area of shabby cafés for foreign workers and neon-lit sex shops, a half-dozen Palestinian teenage boys with gelled hair and sleeveless shirts sit on a railing, waiting for pickups. Ganon is here, as he is most nights, checking on "my children." "Does anyone need condoms?" he asks. "How about clothes? Who hasn't eaten today, sweethearts?"

A police car slows down, and the boys call out, "Identity cards!" and laugh. The police ignore them and drive away.

The teenage prostitutes, refugees from the West Bank, live in an abandoned building. They tell me that sometimes a client will offer them a meal and a shower instead of payment; sometimes a client will simply refuse to pay in any form, taunting them to complain to police. And sometimes police will beat them before releasing them back to the streets.

A 17-year-old refugee from Nablus named Salah (a pseudonym), who spent months in a P.A. prison where interrogators cut him with glass and poured toilet cleaner into his wounds, tells Ganon that he has been stopped by Israeli police no fewer than four times that day. He recites the names of the different police units who stopped him by their acronyms. "Try not to do anything stupid," Ganon says.

"I've tried to kill myself six times already," says Salah. "Each time the ambulance came too quickly. But now I think I know how to do it. Next time, with God's help, it will work before the ambulance comes." ■

## One Iraqi obstacle you haven't heard of.

# City Limits

*By* ASLA AYDINTASBAS

AS WASHINGTON FINALLY begins its long-awaited debate over war with Iraq, skeptics are having a field day with all the potential obstacles to an American march to Baghdad: international opposition; the difficulty of targeting Saddam's diffuse chemical and biological weapons; the fear that he might use them; the potential for American casualties. But there's one potential problem that

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so far has slipped under the radar screen: the little-known city of Kirkuk.

The oil-rich town, which lies just south of the Kurdish safe haven established at the end of the Gulf war and 150 miles due north of Baghdad, has long been central to the Kurds' nationalist aspirations. It also happens to be home to some of Iraq's oldest oil fields, which are still among the world's most lucrative. So it's hardly surprising that the Kurds—who have so far proved cool to America's war planning—have made control of the city in a post-Saddam Iraq a key condition of their support. A post-Saddam Iraqi constitution, drafted by one of the main Kurdish parties and circulated in Washington last month, designated Kirkuk as nothing less than the capital of an autonomous Kurdish federation.

The problem for the Bush administration is that the Kurds are not the only contenders for the city. Iraq's Turkmen minority—ethnic Turks who insist they constitute a majority in the city—vow they will not live under Kurdish rule. And Turkey, which greatly fears Kurdish nationalism (given the secessionist inclinations of the Kurds within its borders), considers itself the guardian of its ethnic brethren inside Iraq. The government in Ankara recently informed Washington that it will do whatever it takes to protect Turkmen interests—including invading Kurdish areas of northern Iraq. "This is a nonstarter, a red line for us," a senior Turkish official told me. During a recent visit to Ankara, Deputy Defense Secretary Paul Wolfowitz was told by Turkey's military brass that if Kirkuk is promised to the Kurds, *they* won't back an American attack on Iraq.

With reports that tensions between Kurds and Turkmen are escalating on the ground, U.S. policymakers need a creative solution soon. Otherwise a city you have never heard of might just undermine our entire plan for Iraq.

AT ANKARA'S URGING, senior State Department officials have been negotiating with Turkmen leaders about their interests in a post-Saddam Iraq since the mid-'90s; the Turkmen Front, a coalition of Turkmen groups, is active within the Iraqi opposition to Saddam. But just as that opposition is finally garnering serious U.S. support, the Turkmen are growing skittish about whether their participation will bring them what they want most: control of Kirkuk. Turkmen complain that they never get as much attention as the Kurds despite the fact that they too have suffered repression and mass deportations at the hands of Iraq's brutal regime. "Whenever Iraq is mentioned, it is about Saddam, the oil, or the plight of the Kurds. We are absent from the debate," protests Kirkuk-born Orhan Ketene, Washington representative of the Iraqi Turkmen Front. Backed by Ankara, Turkmen publicly oppose Kurdish proposals to establish a federative Iraq divided between Kurdish and Arab entities, and they argue that the country's future should be determined after Saddam is overthrown. Privately, Turkmen concede that if the future administration of Iraq ends up being federative, as most in the opposition assume, there should be a Turkmen federation on the "Turkmen strip" stretching from the Syrian border to the Iranian border and including, you guessed it, Kirkuk. A recent statement by the Turkmen Front reads: "Turkmen areas in Iraq cannot be the subject of negotiations. . . . The world has to know that if there is an attempt to negotiate the land we live on, we would protect it at all costs."

THE KURDS—WHOSE epic history of persecution is better known—are at least as adamant that an American overthrow of Saddam leave Kirkuk in their hands. "Turkmen are really overreacting," says Dr. Najmaldin Karim, president of the Washington Kurdish Institute and a leading Iraqi Kurdish voice in Washington. Karim, also born and raised in Kirkuk, argues that the decade of Kurdish self-rule in northern Iraq has benefited the country's Turkmen and that most of the tensions between the two communities stem from meddling by Ankara. At a conference at American University earlier this summer on the future of Iraqi Kurds, someone from the audience asked the panelists, "If there is a Kurdish federation in future Iraq, will you demand Kirkuk to be part of that?" The audience erupted in boisterous applause.

But the truth—as is so often the case in such conflicts—is that it's virtually impossible to determine which side has a better claim to the city. The 1957 census—the sole reliable count in Iraq and the only one in which Iraqis were allowed to declare their mother tongue—placed Turkmen as the country's third-largest ethnic group, after Arabs and Kurds (8.5 percent to 21 percent of the nation as a whole). Based on that ratio, Iraq today is estimated to contain between 1.5 million and two million Turkmen, largely city dwellers who live in areas still controlled by Baghdad, including Kirkuk. Within Kirkuk, claims Ketene, "despite years of Arabization, we still have the majority inside the city." It's impossible to know whether he's right, especially since Saddam's government frequently encourages Turkmen to register as Arabs, which further muddies an already confused picture.

History is no help in settling the matter either. "Starting from the fourteenth and fifteenth century, the area around Kirkuk has been dominated by Turkmen, and that remained unchanged till the establishment of the modern state," says Magnus Bernhardsson, a historian of Iraq at Hofstra University and the author of an upcoming book on the use of archaeology in forging nationalism in modern Iraq. Bernhardsson notes that Kirkuk's demographics started tilting toward the Kurds in the 1930s, with an influx of migrant Kurdish workers who came to labor at profitable oil wells, and continued into the 1970s and 1980s—when Kurds fled to Kirkuk after their villages were destroyed by Saddam. It's conceivable, according to Bernhardsson, that the city now has more Kurds than Turkmen. "Kirkuk," he says, "is a classic case of demographic reality versus historic rights."

Had Kurds and Turkmen lived easily together in Kirkuk all these years, finding some joint arrangement for the city might not be so hard. But, in fact, periods of tension have marked the last century. The worst episode came in 1959



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when, instigated by the Iraqi Communist Party, a group largely comprised of Kurds went on a rampage against the city's more prosperous Turkmen, leading to a three-day massacre of Kirkuk's Turkmen leaders that only stopped when Baghdad intervened militarily. Ketene, then six years old, still remembers the chants from street mobs as they cruised his neighborhood before beating to death a neighbor, a rich Turkmen merchant, and hanging his body on a pole. In 1996, when one of the two major Kurdish parties (in a brief rapprochement with Baghdad) invited the Iraqi military into the Northern city of Erbil, about 50 miles from Kirkuk, Saddam's troops executed 17 Turkmen activists and officials and captured another 20, who are presumed dead—a slaughter the Turkmen blame on the Kurds. In 1998 and 2000, there were clashes between the Turkmen Front and the Kurdistan Democratic Party (KDP) in Erbil. And as recently as last week Turkmen say the city's Turkmen Cultural Center was fired upon in an atmosphere of escalating tension with Kurdish security units. Since the Gulf war the Kurdish-controlled safe haven to Kirkuk's north has experienced a kind of renaissance—"the Kurdish spring"—and Turkmen and other ethnic groups have benefited enormously from the liberalizing of education and media. There is now a private Turkmen TV channel and 19 Turkish-language schools—something unthinkable in those regions under Baghdad's control. But even in the safe haven, tensions between the two communities are boiling to the surface—especially in the areas held by Mesud Barzani's KDP, which also house the main offices of the Turkmen Front and other Turkmen groups. The Turkmen Front, a group criticized by Kurds for its tight relationship to Ankara, recently provided me with a long list of alleged cases of KDP harassment—including discrimination in hiring, ethnic harassment, not being allowed to sing the Turkmen national song, and being forced to fly the KDP flag in Turkmen schools. Ketene says Turkmen in Kirkuk worry that a Kurdish takeover of the city could bring similar repression or even produce a repeat of the massacre of 1959.

All of which presents the Bush administration with a little-known, but major, headache. "[The United States] won't be able to solve this problem ahead of time, especially with no reliable data. What is needed is a census with an independent body after the city is occupied by someone other than Saddam Hussein," says Michael Rubin, a visiting scholar at the American Enterprise Institute (and an occasional TNR contributor), who recently spent nine months in northern Iraq. Rubin is almost certainly right. America's best bet is probably to avoid any commitments about the city's future and to remind both sides of their deep mutual interest in getting rid of Saddam. But that's not going to be easy. "Kirkuk is our Jerusalem," Jalal Talabani, leader of one of Kurdistan's two main parties, said not long ago. And as recent U.S. administrations have learned all too well, compromise on Jerusalems may be the hardest thing in the world. ■

**Why L.A. should remain intact—barely.**

# Down in the Valley

*By* MICHELLE COTTLE

THE SAN FERNANDO VALLEY

THE JULY SUN is on its way down, but the Vista Room of the Sportsmen's Lodge hotel remains hot and stuffy. Though the Studio City Residents Association isn't scheduled to meet for another 20 minutes, the tight rows of folding chairs are already packed. And still the people come, sliding their sweaty bodies into the crowd, leaning against whatever small patch of wall they can capture. Hotel staff scramble to bring extra seats and to refill pitchers of ice water. Just a few miles south, on the far side of the Santa Monica mountains, ocean breezes make life more bearable during these heat waves. But here in the Valley, things always seem just a little hotter than in the rest of L.A.

By 8 p.m. more than 100 residents of Studio City—one of nearly 30 semi-official neighborhoods that make up the Valley—have assembled to await the arrival of Los Angeles Mayor James Hahn. Officially, Hahn is stopping by to deliver a progress report on the formation of neighborhood advisory councils; in reality, he's coming to address the topic that has city officials in a full-blown panic: Valley secession. Spearheaded by a loose coalition of businesspeople and homeowners, a movement is afoot to split the San Fernando Valley into an independent city, leaving behind a Los Angeles more than one-third smaller in population and roughly half the size in land area. Preaching "local control" and "our fair share," secessionists say L.A. has grown too big to function effectively and that the Valley must break free of an imperious, parasitic "downtown" that extracts millions more in taxes each year than it delivers in services. The secession movement is not new—the Valley has been threatening municipal divorce almost since the moment it was annexed in 1915—but never before has it gotten this far. On November 5 the issue will be on the ballot.

City officials take the threat very seriously. Last November, Hahn unveiled an anti-secession campaign titled L.A.



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United. This July three city council members launched similar efforts. Big names ranging from Warren Christopher to Magic Johnson have been recruited to spread the unity gospel. Big money is being collected for TV spots. The labor unions have been mobilized, as have prominent leaders within the Latino and African American communities. Though slow to get rolling, the anti-secessionists are now better organized and better funded than the proponents. They forecast financial disaster for both Los Angeles and the new Valley city. They question a denuded L.A.'s ability to continue serving the infrastructure needs of Southern California. They argue that a new city government and a new layer of bureaucracy would make tackling regional problems (transportation, power, water, schools, etc.) less efficient. They imply that the secessionists are whiny, selfish racists (past divorce bids carried the whiff of white flight). And on a purely practical level, they point to the chaos that would ensue—labor disputes, infrastructure battles, endless litigation to determine division of assets—as the old and new cities struggled through the excruciating details of mass division. Earlier this year, in an (imprudent) attempt to convey the havoc that secession would bring, Hahn predicted "a disaster of biblical proportions."

SINCE THEN, IN response to criticism that he was being too negative, the mayor has toned down his rhetoric. And tonight his sunnier, lower-key approach is on display in Studio City. "We're bringing decisions closer to the communities," he asserts. "We've added money to the Department of Neighborhood Empowerment and opened field offices throughout the Valley." And despite the toughest budget in ten years, "we've had the highest level of street paving, sidewalk repairs, trees trimmed. We've increased the number of paramedics and firefighters. We've maintained a record level of service. There are fifty new parks. Seventeen new libraries." And on and on he goes, selling the wonders of "this great city." Still, toward the end Hahn can't resist a gentle warning: "When you go through a divorce, nobody ends up with more." A lot of grand claims are being made by the other side, he notes somberly. "I just want to make sure that you have all the information, that you have your eyes open when you make this decision."

Polls suggest the anti-secession message is starting to sink in. In March 46 percent of Angelenos favored a split; by July that number had dropped to 38 percent. Hahn and Co. have made it clear they'll spend whatever it takes to ensure those numbers keep falling. And if secession comes this far only to be crushed at the ballot box, the issue could well vanish from the political radar screen once and for all. What secession opponents are hoping for, says one participant in the discussions, "is that the initiative will get crushed so badly at the polls that people decide this secession thing isn't really a big deal after all."

Which would be a shame. Secession foes are almost certainly right that divorce would be bad for L.A.—and possibly for the Valley as well. But the *threat* of secession has been one of the best things to happen to L.A. in decades. In recent years, as secessionists have spotlighted the evils of downtown in order to rally support, L.A.'s hidebound, inefficient city government has been forced to take small, grudging steps toward much-needed reform—overhauling the city charter, strengthening the historically weak mayor's office, establishing neighborhood outreach programs. But these efforts are only the tip of the iceberg; everyone agrees that a great deal more remains to be fixed. The problem is that if the secession movement disappears, the city may lose its strongest incentive to keep fixing.

THE CHIEF CONCERN of secession opponents, unsurprisingly, is the financial cost of divorce. Peeling away the Valley would strip Los Angeles of more than half of what remains of its already shrinking middle class and, with it, an important chunk of the city's tax base. (Home to more than a third of L.A.'s residents, the Valley has only around 20 percent of its poverty.) As a result, support for secession is weakest among African Americans—many of whom still associate it with the last big Valley push to leave L.A., an adjunct of the racially charged anti-busing movement of the 1970s. In late July a group of black community leaders pledged to fight the split, arguing that the inner city would suffer most from its passage. As the Reverend Cecil L. Murray of the First AME Church told the *Los Angeles Times*, "The drainage of people is the drainage of funds, and the chief victims of drainage are the impoverished."

Secessionists argue that under the state-dictated terms of the divorce, an independent Valley would pay Los Angeles alimony for the next 20 years to compensate for whatever tax revenues L.A. was losing. But just how much that alimony should be—and whether the Valley could make the payments without raising taxes or cutting services to its citizens—is the subject of heated, and dizzyingly complex, debate. The bottom line, says secession opponent Xandra Kayden, former president of the League of Women Voters, is, "the transition costs for the old city as well as the new city are going to be enormous." Just how enormous, she says, "we still don't know."

And while secessionists insist that "smaller is better," anti-secessionists point out that there are certain advantages to being the nation's second-largest city. Even if financially viable, a smaller L.A. would carry less political clout in both Sacramento and Washington, which would mean fewer federal dollars for everything from disaster relief to anti-gang efforts to low-income housing.

A smaller Los Angeles might also have problems delivering some of the regional services it has long provided. "I call L.A. the mothership," says Steven Erie, director of urban studies and planning at the University of California, San Diego. "Los Angeles overbuilt infrastructure, and the rest of California hooked up." City fathers like William Mulholland (of aqueduct fame) saw infrastructure—electricity, harbor, rail lines, and, later, airports—as the key to developing the region, says Erie. "Los Angeles was an overachiever so places



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like Orange County and San Diego can be underachievers." In political science it's known as "the free-rider problem," he explains. "When somebody overprovides a public good and you can get access to it, you do. The reason we've had forty years of airport studies and no new airport in San Diego is because we had LAX nearby. Ninety commuter flights a day go from San Diego up to LAX, and that's where people change planes." But if Los Angeles' political muscle and tax base shrinks, even as the region's needs continue to grow, says Erie with a chuckle, "the rest of Southern California may have to start shouldering its fair share of the infrastructure burden. San Diego may even have to build a real airport."

AND FAR FROM simplifying regional planning and services, secession opponents argue that a new local government would only make them more complex. When you start adding more decision points, says Kayden, it makes it harder to handle region-wide issues like transportation, air quality, and the environment. Dividing L.A.'s resources between the two cities could also make it harder to swiftly coordinate emergency response for disasters such as earthquakes, terrorist attacks, or the wildfires that sweep through the Valley each summer. Secessionists say the Valley would contract with L.A. to continue providing various services, including police and fire protection. But the LAPD has already expressed concern that multiple jurisdictions could impede the performance of specialized units like SWAT teams and narcotics and organized crime investigators. The fire department has expressed similar concerns. "You can't just chop the pie in pieces and say you're capable of doing the exact same things you were capable of doing before," Ellen Sandt, who served as City Hall's point person on secession, told the *Los Angeles Times* in October. "There are a ton of practical issues to be worked out."

Then there's the inevitable—likely interminable—litigation that secession would spawn. (One lawsuit has already been filed by a secession opponent.) Sorting out the technical details of bond issues and water rights could land both sides in court for years. Renegotiating labor contracts would prove particularly nightmarish, especially with the unions so vehemently opposed to secession. (Los Angeles takes good—perhaps too good—care of city employees; secession leaders, many of whom lean anti-union, have made it clear things would be handled differently in the Valley.)

Finally, secession isn't just bad practically, insists Harold Meyerson, political editor of *L.A. Weekly* (and executive editor of *The American Prospect*), "it's bad in its implications. The whole notion that if a government or political entity is having problems that the solution is to break it up is just a really troubling precedent. Who's to say where it ends?" While such slippery-slope reasoning can sound paranoid, in Los Angeles—where secession fever is on the rise—it's eminently practical. The Valley isn't even the only part of L.A. whose secession will be on this fall's ballot: A group of Hollywood residents have put their exit from the city up for a vote as well. (Polling there shows weaker support.) Likewise, residents of the San Pedro harbor area (one of L.A.'s main economic engines) hope to have their secession bid on the ballot in 2004. Dreaming of ever-smaller government units, Valley secession leaders are already making noises about subdividing their still-nonexistent city into separate boroughs.

EVEN DISCOUNTING THE hyperbole of secession opponents, it's hard to escape the sense that secession advocates don't quite know what they're getting into. Once a lily-white, suburban enclave, the Valley increasingly resembles the rest of troubled old L.A. The region is remarkably racially diverse (43 percent Latino versus only 41 percent Anglo) and struggling to cope with typical big-city problems like gangs, crime, school overcrowding, a lack of affordable housing, and, of course, traffic—all of which would still be waiting for Valleyites the morning after secession.

But to hear secession leaders talk, you'd think that the moment they're rid of all those nasty areas "over the hill," the Valley will become a kinder, gentler place with a more politically engaged citizenry and a more honest, infinitely more competent city leadership. (This "optimism" may have something to do with the fact that many secession leaders have run unsuccessfully for office in L.A. and plan to do so in the new city.) Jeff Brain, president of Valley Voters Organized Toward Empowerment—the group that fought to put secession on the ballot—pushed to ensure that "Camelot" is one of the five possible names for a Valley city on which Angelenos will vote in November. (Polling shows the more intuitive "Valley City" to be the current front-runner.) "I wanted to send a message to the naysayers—to those who say we have to accept the traffic, that we have to accept the crime," Brain explains in a low, earnest voice. "I *dare* our opponents to tell us that we can't have our own Camelot."

Brain and other secessionists point longingly toward pint-size governments in nearby Burbank and Glendale. "You can just see it," Brain told the *Los Angeles Times* last summer. "Why is Burbank thriving when North Hollywood is suffering?" Another secession leader recently cooed to the alternative weekly *New Times Los Angeles* that an independent Valley would be a neighborly sort of place, with "a central square" and "easy access to government." Sounds great, but the Valley is home to 1.4 million people—roughly ten times the population of Burbank or Glendale. If split from L.A., it would be the sixth-largest city in the United States, right behind Philly—hardly a place known for its small-town flavor. Secession opponents point to these comparisons as proof that secessionists are completely disconnected from reality. Kam Kuwata, strategist for L.A. United, scoffs, "If you go to these meetings, they talk about it as though you're really gonna have a time clock that you turn back and all the sudden you're there with Andy Griffith in Mayberry."

What's more, an independent Valley would have only so much "local control." For starters, a side provision of the 1978 anti-tax measure Prop 13 gives the state first dibs on all property taxes collected by area governments each year. "The state



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can decide whether locally collected property taxes go to cities, counties, or special districts like school districts," explains Erie. Moreover, the Valley's plan to contract with Los Angeles for things like police and fire protection rather than create these expensive service infrastructures from scratch means Valleyites would be relying on the same old departments—but without the political clout to press for reform. Argues Hahn, "That's basically taxation without representation."

FOR THESE REASONS, not to mention their overwhelming edge in money and political muscle, Hahn and his anti-secessionist cohort will likely prevail at the polls this fall. Which is mostly a good thing. Except that in derailing secession, the mayor's team could also seriously damage, if not destroy altogether, the secession movement. And if it does, Angelenos would lose one of their most politically powerful voices for city reform. "Two things really caused reform in Los Angeles in the last fifty years," says Raphael Sonenshein, a political science professor at California State University, Fullerton, "the Rodney King beating, which led to the removal of civil-service protection for the chief of police, and the secession movement."

Not even the staunchest secession opponent disputes that Los Angeles has serious problems. For starters, there is the LAPD, which in recent years has been hemorrhaging officers, as retirement and resignations far outpace recruitment. Already funded to be much smaller than New York's police force, the LAPD is still 1,100 officers short of its budgeted 10,000. Then there is the widely despised Los Angeles Unified School District. With too little money (this year's deficit is around $428.5 million) and too many students (Superintendent Roy Romer recently declared a crisis in overcrowding), area schools are cutting programs and increasing class sizes even as aging buildings go unrepaired thanks to fiscal mismanagement. And in a matter of months the city could have a public health disaster on its hands as L.A. County prepares to dismantle much of its nearly bankrupt public health system, leaving poor Angelenos without access to care.

Meanwhile, the heavily centralized, inefficient city government is ill-equipped to handle the region's growing needs (fed in no small part by the heavy influx of immigrants each year—many of them poor and uneducated), and officials often seem primarily concerned with protecting their bureaucratic prerogatives. "The Valley's resentments of downtown are not crackpot," says Fred Siegel, an urban studies expert at New York's Cooper Union. The city is uniquely troubled "both because of its sheer size and because it is so badly run."

Despite its poor-to-mediocre services, L.A. has some of the highest-paid public officials and civil servants in the country—meaning that taxpayers aren't getting much bang for their buck. "Los Angeles city government does a very good job of taking care of itself," says Siegel, noting that city council members are the highest paid in the nation. The pro-secession Valley newspaper, the *Daily News*, happily fans the flames by running articles on city employees—ranging from librarians to sanitation workers—who pull in more than their counterparts in cities with even higher costs of living, like New York and San Francisco. L.A.'s benefits packages are among the most generous in the country. One area of particular concern is the pension system, which allows city workers to retire after 30 years and receive 70 percent of their highest annual salary and health benefits for the rest of their lives. As David Fleming, a Studio City lawyer and secession activist, told the *Los Angeles Times* in June, "No business can afford that anymore, and the city can't either."

Then there's the absurdly small size of the city council, which translates into absurdly large council districts. "The city council of Chicago has got fifty people," notes Erie, "so you get a lot more local representation. But L.A. has been a fifteen-member council since 1925." Since then the population has grown from some 750,000 to 3.6 million, with the result that each council member now represents some 250,000 constituents—the largest constituent base nationwide. This, combined with the city's geographic spread (470 ridiculously laid out square miles), makes it all but impossible for council members to represent the diverse needs of their far-flung constituents and gives citizens the not-unreasonable sense that their neighborhoods are being ignored by a small cadre of distant, unresponsive leaders.

OVER THE PAST five or six years, the city has finally begun dealing with some of these problems. And to a large degree, Angelenos have Valley secessionists to thank. In 1996 state Assemblywoman and secession advocate Paula Boland introduced a bill to end the city council's veto power over secession, which would have made it easier to get the issue on the ballot. Though it failed on its first go-around, the bill brought secession—and all the underlying complaints about L.A. government that fuel it—to the forefront of local political debate. As the *Los Angeles Times* reported in June 1996, just two months before the bill's defeat, "Reform is in the air at City Hall, generated by a nascent secession movement in the San Fernando Valley and a citizenry that feels increasingly out of touch with its elected officials." City officials promptly began searching for ways to defuse the growing criticisms. Earlier that month a group of Valley business and political leaders had proposed reforming the city's outdated charter—under which, for instance, department heads reported to both the mayor and to the city council and were ultimately accountable to no one. Mayor Richard Riordan swiftly endorsed the idea ("Unlike secession, reform can unite Angelenos," he noted) and made it his personal crusade.

The charter reform package, which finally passed in 1999, both simplified various chains of command and attempted to devolve some decision-making power to the neighborhoods. To decentralize land-use decisions, the city planning commission was replaced by a handful of area planning commissions. More broadly, neighborhood councils were established to



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serve as lobbying and advisory bodies. Some people, like Kayden, view the councils as the perfect way to make government more responsive. Others, like Siegel, see them as a first step toward a more powerful borough system—a proposal that some city council members and community leaders have begun advocating as an alternative to secession.

Despite its failure, the original Boland bill helped create a secessionist infrastructure (or, rather, revivify the one left over from the '70s), which fought to get a similar measure passed the following year. And that kept up the pressure for reform. Partly as a result, all of the mayoral candidates in 2001 cited neighborhood empowerment as a priority. Once in office, Hahn established the Mayor's Office of the Neighborhood Advocate to work with the individual communities (and to stay on top of secessionists' concerns). In March the city attorney's office launched the Neighborhood Prosecution Project, which assigns veteran prosecutors to work with police and residents of specific neighborhoods in addressing quality-of-life issues ranging from noise violations to prostitution. Similarly, steps have been taken to reinstate the LAPD's popular Senior Lead Officer program (canceled in 1997 by a previous police chief), a form of community policing that assigns certain officers to work as neighborhood liaisons. With the *Daily News* spotlighting every episode of government waste and mismanagement, departments remain under constant pressure to shape up. Simplification of the LAPD's application process has helped slow the department's rate of shrinkage; last month the mayor announced a 26 percent drop in the attrition rate over last year. L.A.'s efficiency ranking vis-à-vis other cities is gradually improving in less obvious ways as well. In November, for example, the city's Building and Safety Department implemented a program guaranteeing that if the decision on a remodeling permit application takes longer than 90 minutes, the permit is free. "All the charter reforms ... and the neighborhood council commission, and the discussion on boroughs—all that is being driven by secession," says Cal State's Sonenshein, who served as executive director of the appointed charter commission from 1997 to 1999.

And therein lies the danger. If secession gets trounced on Election Day, it could more or less disappear from the political scene—and with it much of the impetus for reform. For all of their whiny parochialism, Valleyites keep the heat on a city government desperately in need of, and historically resistant to, change. The ideal scenario, says Sonenshein, "is for secession to do well enough to be formidable, but the city stays together.... The argument being among a lot of people that if a large part of the city is discontented, you have to keep moving toward reform." So while it's best if Hahn's team wins the secession battle come November, Angelenos might want to say a little prayer that those wacky, starry-eyed secessionists live to fight another day. Or at least threaten to. ■

**The case against Delaware.**

# Rogue State

*By* JONATHAN CHAIT

UNTIL ONE DAY several years ago, I, like most people, harbored no ill feelings toward the state of Delaware. I suppose in some vague sense I thought of it as harmless and even endearing, the way you tend to regard other small things, such as Girl Scouts or squirrels. But all that changed the summer day I moved to Washington, when, making my way down I-95 in a rental truck with all of my worldly belongings, I screeched to a halt in front of what turned out to be a two-hour backup in Delaware. Never having driven down the East Coast, I at first assumed the traffic jam must have been caused by some horrific accident. But as my truck crept forward I saw it was no accident at all but a deliberate obstruction—specifically, a tollboth on the Delaware Turnpike. Slowly the full horror of it sunk in: The State of Delaware had turned the East Coast's main traffic artery into a sweltering parking lot merely so it could exact a tribute from each driver crossing its miserable little stretch of concrete.

The practice of charging road tolls is an archaic holdover blighting much of the Northeast. But Delaware has taken it to a grotesque extreme. Whereas the I-95 tolls amount to less than five cents per mile in New Jersey and four cents per mile in Maryland, in Delaware they cost an exorbitant 18 cents per mile. Which isn't surprising because, in a deeper sense, Delaware's tolls epitomize the state's entire ethos. The organizing principle of Delaware government is to subsidize its people at the rest of the country's expense. While tolls represent the most obvious of the state's nefarious methods, Delaware also utilizes its appallingly lax regulation of banks and corporations to enrich itself while undermining its neighbors. Indeed, Delaware's image as small and inoffensive is not merely a misconception but a purposeful guise. It presents itself as a plucky underdog peopled by a benevolent, public-spirited, entrepreneurial citizenry. In truth, it is a rapacious parasite state with a long history of disloyalty and avarice.

Delaware's status as the initial signatory to the Constitution—reflected in its self-declared and oft-repeated



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nickname, "the First State"—has bathed it in the soft glow of colonial-era patriotism. But the actual historical record is considerably less edifying. The Delaware delegation to the Constitutional Convention was spearheaded by a bombastic bully named Gunning Bedford Jr. (One delegate called him "impetuous in his temper and precipitate in his judgment.") Bedford fiercely insisted that the national legislature be divided not on the basis of "one man, one vote" but "one state, one vote"—meaning the citizens of tiny Delaware would be massively overrepresented in Congress. In what one delegate described as "the most intemperate speech uttered in the Convention," Bedford blustered, "I do not, gentlemen, trust you." If the large states didn't meet his demands, Bedford threatened, "the small ones will find some foreign ally of more honor and good faith, who will take them by the hand and do them justice."

This initial flourish of anti-patriotic coercion established a Delaware political tradition of self-serving venality. When the nation mobilized for the War of 1812, Delaware manufacturers, led by the du Ponts, demanded that their laborers be exempt from military service. Not only would military service harm Delaware's economy, the factory owners claimed, but it would teach the workers "habits of intemperance and slothfulness," as University of Delaware historian Carol E. Hoffecker writes in *Delaware: A Bicentennial History*. (That the du Ponts thought pitched combat would turn the workers soft gives some sense of the working conditions in Delaware's mills at that time.) Later, when British warships neared the region and the du Ponts feared damage to their holdings, they performed a quick about-face, successfully petitioning the governor to arm their employees and form militias—but only to guard their mills.

Aside from its tradition of self-interestedness, Delaware has historically distinguished itself primarily by its retrograde approaches to race, political reform, and the administration of justice. In 1798 it effectively barred blacks—slave or free—from even entering a county seat on Election Day. As residents of the last Union state to ban slavery, most Delawareans sympathized with the Confederacy, and its senators attacked President Abraham Lincoln as a "monster" (in the words of one) and a "despot" and "weak and imbecile man" (in the words of the other). Despite siding with the Union during the Civil War, the legislature earmarked funds to assist drafted men seeking to buy their way out of military service—reflecting either its affinity for the Confederacy or its general support for the principle of shirking one's patriotic obligations. Its political parties spent much of the late nineteenth century accusing each other (falsely, alas) of supporting black equality. Delaware voted against the Thirteenth, Fourteenth, and Fifteenth Amendments to the Constitution, which freed the slaves and gave them the vote and equal protection. It retained its Jim Crow laws into the 1960s, yet, perhaps due to its puniness, managed to escape the disrepute given to segregationist contemporaries like Alabama or Mississippi.

JIM LANGE

While its record on race put Delaware in a league with the Deep South, it had no peers when it came to political corruption. The small number of voters needed to buy one's way to power has tempted generations of Delaware tycoons. Electoral fraud established itself in Delaware as early as the eighteenth century, and 100 years later it grew endemic. In 1899 a gas magnate running for Senate offered voters as much as $50 each—an astronomical sum at the time. One late-nineteenth-century magazine story called Delaware the only state that "maintains so composedly and so contentedly the usages and ideas of the medieval period of American politics." Republicans outside the state, writes Hoffecker, were "acutely embarrassed by the bad publicity emanating from little Delaware, where journalists reported votes being sold as if at auction."

Delaware also set itself apart through its fondness for medieval forms of punishment. It was not until the early 1900s that Delaware became the last state in the Union to abolish the pillory, a twelfth-century torture device. (The pillory resembled the stocks, but it was even crueler in that it forced the convict to stand, with his neck craned at what drawings indicate to be a highly uncomfortable angle.) In addition, Delaware achieved minor notoriety as the last state to ban public whipping. Connecticut renounced the practice in 1828, Pennsylvania in 1790. Delaware, by contrast, flogged its last convict in 1952.

But Delaware's greatest specialty is finding ways to siphon money out of nonresidents. The most irritating of these is its toll system. If a state wants to charge drivers for the cost of maintaining roads, tolls are a dubious way to do it—the traffic congestion they produce



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can be more costly than the toll itself. (You could reduce this congestion by charging double fare on the southbound turnpike and eliminating the northbound toll, as Maryland does; but Delaware concluded this would prompt motorists to drive around the state altogether.) The more efficient way to maintain roads is by taxing gasoline, which nearly all states do. But Delaware has no gas tax, presumably because if it did it would force Delawareans themselves to pay for most of the upkeep of their roads. Instead, the state uses its tiny stretch of I-95 to make out-of-staters foot the bill.

The reason Delaware charges a full $2 for the privilege of driving the scant eleven miles of the Delaware Turnpike—four times more per mile than the Maryland or New Jersey turnpikes—is straightforward. Casual observation of license plates shows that many, perhaps most, of the drivers on the Maryland and New Jersey turnpikes hail from those states. Since those states have no interest in gouging their own citizens, tolls are low on a per-mile basis. But on the Delaware Turnpike, native license plates adorn just a tiny fraction of the cars. (Delaware transportation officials say they've never tried to calculate how many.) So why not take the outsiders for all they're worth? Every dollar in tolls paid by New Yorkers or Washingtonians means one fewer dollar in revenue that must be raised from Delawareans.

And even after you've crawled through their turnpike and handed them your toll, the citizens of Delaware still haven't finished with you. There's still a $3 fare for the Delaware Memorial Bridge, which is run jointly by Delaware and New Jersey and whose proceeds—which far outstrip the bridge's maintenance costs—benefit both states about equally. (*The News Journal* in Wilmington reported that in recent years the bridge managers—political cronies from Delaware and Jersey—diverted $1 million in toll revenues for trips to Europe, five-star resorts, golf outings, and strip clubs.) Altogether Delaware collects some $120 million—around 6 percent of its budget—from tolls, most of it extracted from non-Delawareans. (Maryland, by contrast, collects a mere 1.5 percent of its budget from tolls, a far higher share of which comes from its own citizens.) Delaware transportation officials make a point of insisting that the revenue from these tolls—minus the cost of the odd lap dance—goes into Delaware's transportation trust fund. To nonresidents, of course, it makes not a whit of difference that our tolls finance Delaware's airports rather than its schools. The point is that Delawareans are forcing the rest of us to pay for their public infrastructure.

NOT ALL THE instruments of Delaware's rapacity take the form of meddlesome, high-handed government exacting inflated costs on out-of-state visitors. When need be, the state's avarice can also be fed by the exact opposite. An example of this latter technique is Delaware's enticement of much of the banking industry to relocate within its borders. It did so in 1981 not only by offering special tax breaks—the standard formula that states and localities use to woo industry—but by eviscerating its usury laws, which limit the interest a bank can charge for loans or credit cards. Seizing the opportunity to exploit unwary consumers across the country, eight of the ten largest credit-card firms in the country now operate within Delaware. In the meantime, personal bankruptcy nationwide has risen sevenfold over the last two decades, and tens of millions of Americans send checks to Delaware every month.

Undoubtedly this has spurred Delaware's economy, providing tens of thousands of jobs, which in turn have produced enough tax revenue to allow the state to slash its other taxes. But it has also made it nearly impossible for other states to regulate even the most predatory kinds of loan-sharking. Last year, for instance, Pennsylvania barred one of its banks from engaging in "payday lending." This practice entails lending to poor, financially unsophisticated consumers for two weeks. When they can't repay the loan, they typically take out another, repeating the cycle and paying interest rates that can exceed 700 percent. But just after the Pennsylvania bank ceased its payday lending, a bank based out of Delaware opened up shop in its place.

STILL, PERHAPS THE prime example of what Louis D. Brandeis called the regulatory "race to the bottom" is Delaware's biggest scam: incorporation fees. It so happens that in excess of 300,000 corporations—including half of the Fortune 500—incorporate in wee Delaware. And unlike the banks that have moved to Delaware, companies that incorporate in the state needn't actually locate there. All the process entails, really, is that they hand over an annual fee, as low as $50. Delaware collects so many of these fees that they, along with some associated revenues, account for a whopping one-quarter of total state revenues. The revenue stream is so large (relative to Delaware's budget) that the state needs no sales tax. Its tax-free shopping, in turn, allows its merchants to lure big-ticket shoppers from surrounding states—yet another way for Delaware to suck money from its neighbors.

Why do so many businesses incorporate in the First State? Delaware propaganda suggests it is primarily a function of the state's efficient bureaucracy and legal system, which includes a chancery court (a chamber specializing in business disputes). This is partly true, but it ignores the overriding factor: Incorporating in Delaware allows companies to operate under its laws and courts, which are the most pro-management in the nation. Corporations based there are held to the laxest possible standards of disclosure, shareholder rights, and fiduciary responsibility. Indeed, as the state has admitted in the past, its laws are specifically crafted to appeal to the interests of corporate executives. In the '60s Delaware formed a law revision committee to, as one member put it, "ascertain what other states have to attract corporations that we do not have."

All of this is deliberate state policy. A hundred years ago, in fact, the great trusts preferred to incorporate in New Jersey, not Delaware. It was only when New Jersey, under the progressive-era governorship of Woodrow Wilson, altered its laws to take account of interests (other than management)



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that corporations began to flee across the Delaware River. In the intervening years other states have tried to loosen their regulations and win for themselves the easy money that accompanies Delaware's avalanche of incorporation fees. (A Michigan corporation law from 30 years ago was described by its sponsor as an effort to "out-Delaware Delaware.") But at every juncture Delaware has underbid its competitors.

Hence much of American corporate law is driven not by any rational consideration of the public good but by Delaware's desire to fund its government with the tiniest possible contribution from its own citizens. A seminal 1974 *Yale Law Review* article by William Cary of Columbia Law School observed that "a pygmy among the 50 states prescribes, interprets, and indeed denigrates national corporate policy as an incentive to encourage incorporation within its borders, thereby increasing its revenue."

Conservatives argue that Delaware's loose regulations could not be harming shareholder interests, because, if they did, the stock prices of firms incorporating there would drop. This may be true in theory, but, as recent scandals show, even blatant infringements by corporate management—monstrous compensation packages, obtuse accounting—can go unpunished by investors for a very long time. In actual practice Delaware's loose rules amount to an invitation to engage in chicanery. Indeed, it is no coincidence that Enron chose to incorporate many of its fraudulent subsidiaries in Delaware. Nor was the collapsed energy giant the only shady entity recently tempted by Delaware's sycophantic approach to corporate regulation. Last year the Senate Subcommittee on Investigations found that the Russian mob laundered more than one billion dollars through a series of Delaware front corporations. Who needs the Cayman Islands when there's a tiny, secretive corporate haven on U.S. soil?

Of course plenty of states have some commercial cash cow to power their economies—Wall Street in New York or the entertainment industry in California. But those enterprises enrich their home states by creating products and services of value to consumers. Delaware, on the other hand, has come to its lucre at the direct expense of other states. It is simply a game of beggar-thy-neighbor. And the very act of draining money away from its fellow states usually carries massive repercussions—whether traffic jams on I-95 or the national emasculation of corporate governance.

MOST DELAWAREANS SEEM to regard the consequences of their state's parasitism with blithe indifference. In part this is because the state, like most cultures seeking to justify aggressive practices, has instilled in its people a deep sense of grievance. The state currently distributes a civics lesson, which instructs Delaware schoolchildren that, in the eighteenth century, merchants "charged the people of Delaware higher prices" than other states and which prods them with leading questions like: "Was Delaware being pushed around because of its small size? How could the situation be fixed?" Viewing their history through the lens of persecution and inferiority allows Delawareans to justify their state's reprehensible conduct.

The purest distillation of pro-Delaware propaganda can be found at the Delaware History Museum, a bright, cheerful storefront in downtown Wilmington. In the lobby sits a small amphitheater playing a film titled *Distinctly Delaware*. After dwelling on the state's tiny size—1/108 of Texas and so on—the narrator sounds a defiant note: "Smallness united [Delaware's] citizens in the 1780s to stand their ground at the Constitutional Convention and demand equal representation in the Senate." Of course, what Delaware's citizens demanded was not equal representation but *vastly disproportionate* representation—today one out of every 400,000 Delawareans has a vote in the Senate, as opposed to one in 17 million Californians.

Befitting their exalted place in the state's culture, toll roads have their own exhibit in the museum. A placard explains to visitors Delaware's first attempt to construct roads in the colonial era: "The government levied taxes to maintain the roads but rarely collected enough to keep them in good repair. Bumps, ruts, dust and mud challenged travelers and strained horses." Then to the rescue came investors with their more advanced toll roads. Suddenly, Delawareans "hoped to rival Philadelphia merchants by connecting local ports with farmers as far away as Lancaster." You see, little Susie, if not for tolls the state couldn't afford decent roads and travelers' horses would go lame!

THE MUSEUM ALSO devotes an exhibit to Delaware's innumerable banks and legally incorporated entities. "Many banks moved to Delaware, employing thousands and providing a major stimulus to the economy," reads one placard. "People all over the world now use credit cards issued in Delaware." Another placard explains that "businesses from all over the country have incorporated in the state. Corporation fees and taxes provide a major source of state revenue." Next to the placard sits a mock judge's chamber intended to explain the state's chancery court system. Visitors can sit behind the bench and play a video game titled, *You Be the Judge*, where they decide cases with titles such as "Who's Cooking the Books?" and "What's an Insider Trader?" On the wall behind the bench hangs the robe that, a card informs us, belonged to William Marvel, a judge who once presided over Delaware's chancery court. The robe is encased in glass, as if it were the jersey of a baseball star. All this is designed to inculcate in Delaware's children the sense that it's normal—indeed praiseworthy—to have an inordinate proportion of corporate America legally based in one tiny state. Who knows? Perhaps one day they too might grow up to issue a favorable ruling for the board of directors.

In an apparent effort to hammer home the connection—friendly court equals incorporation!—the wall adjacent to the judge's bench carries an electronic ticker on which the names of companies incorporated in Delaware whiz by in endless succession. And indeed it's hard not to be impressed by the sheer volume of the state's achievement. To hell with the national interest. Delaware is looking out for number one. ■



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# Stanley Kauffmann on Films

## Man Working

HERE AGAIN IS Claude Chabrol. "Again" is really too weak a word for a director who began in 1958 and is now presenting his forty-eighth film. Born in 1930, Chabrol very early made his way to Paris from the provinces where he had been raised, found various jobs including one in a film-company office, married, and—with the help of an inheritance that came to his wife—made his first film, *Le Beau Serge*. Quickly he became a figure in the so-called New Wave. (Coincidence: François Truffaut, another such figure, also got his start with money from his wife's family.) Many of those New Wave directors are gone now, of course, and those still working are no longer Young Turks, or even Old Turks. Chabrol long ago reached a position in the French film world where, though the success of his films was hardly irrelevant, the prime point for him and for his producers was to keep working.

In 1957 he had collaborated with Eric Rohmer on a book about Hitchcock. Microscopes might reveal some influence of Hitchcock on Rohmer, but in Chabrol the influence is patent. It seems possible, however, that Chabrol was less inspired by Hitchcock than drawn to Hitchcock in the first place because he already had such interests within him.

Murder, sometimes sly and sometimes sanguine, sometimes almost philosophically undertaken, runs through many of Chabrol's films. One of them, *Landru* (1962), the notorious Bluebeard story, is an unrecognized masterwork, not least because of Charles Denner's performance. Others in the Chabrol canon range in quality from the extraordinary *This Man Must Die* and *Betty* to the mediocre *Violette Nozière* and *La Femme Infidèle*. (Not a thriller in any sense was his pallid *Madame Bovary*.) It is hardly surprising that most of his films are no better than good and some of them are a little less than good. What must be said of all the large number that I have seen is that they were made by a master craftsman, a man who is primarily interested in the *making* of films, wants to keep at it, and is willing to risk imperfection rather than fret for years over one work, à la Kubrick.

This is why a middling Chabrol film like his latest, **Merci Pour le Chocolat**, (Empire), seems an appropriate instance for comment on him. Broadly speaking, directors are of two kinds: the jewelers, like Kubrick and Robert Bresson, and the judge-me-by-my-whole-career men, like Chabrol and Fassbinder and Godard. (Of course the contract directors in the high Hollywood days had small choice in the matter.) *Merci* is, in a sense, neither more nor less than Chabrol's picture for 2000. It is what he did that year.

The narrative pleasure in a Chabrol film usually grows as if we were watching a chess game, its ploys and strategies disclosed as it progresses. The characters are always flawed—even the good ones—and are usually performed by people who understand film acting as a series of confidences entrusted to the camera. The films are always edited with tacit cleverness, always photographed to match. Renato Berta, the Swiss cinematographer who did *La Salamandre* and *Le Milieu du Monde*, here almost seems to be quietly chuckling as he surprises us with unusual yet unostentatious shots, one after another.

The screenplay was adapted by Chabrol and Caroline Eliacheff from an American thriller by Charlotte Armstrong. The setting is Lausanne. Two families are involved: that of a woman doctor and her daughter; and that of a famous pianist, his son by his first wife, and his second wife, who is the managing director of a chocolate factory. Both the doctor's daughter and the pianist's son, now in their twenties, were born in the same hospital on the same day, and the possibility that the babies were switched at birth figures in the story. The plot is thickened by the fact that the young woman has piano talent and the young man has no interest in music.

Oddly enough, the complications that grow out of this teasing uncertainty have nothing at all to do with the person who turns out to be the main character, the wife who runs the factory. She, as we learn, has a connection with the death of the pianist's first wife, and as she moves about her house and her office with perfect composure and the requisite politesse, she is contemplating further odd action.

The motives for her behavior are never plumbed deeply, but we can infer that she has a mental crease, that perhaps she enjoys a secret power over people as an adjunct to her business power. Chabrol may well have been drawn to this woman's story by her pussycat wickedness, instead of any drooling malevolence. He is inordinately helped by Isabelle Huppert in the role.

Huppert has been in five previous Chabrol films, generally playing killers who were ice queens. I had begun to wonder if she would ever actually evince any emotion instead of letting the script and her beauty and self-confidence suffice. Huppert broke out for another director, Michael Hanneke, in *The Piano Teacher*, swirling from intellectual hauteur to primordial physicality. In this new Chabrol film she uses velvet claws, but they are, unmistakably, claws.

Chabrol's view of film-making life—"Here's another. If you don't like it, there'll be another along soon"—is clearly more appreciated in Europe than here. His new picture does not have conventional U.S. distribution. The Film Forum in New York is presenting its American premiere, and other dates are to follow. An English critic once said of Chabrol: "There are few directors whose films are more difficult to explain or evoke on paper because so much of the overall effect turns on Chabrol's sheer hedonistic relish for the medium." In these market-manic days, that approach is not exactly a socko selling point. Still, we can rejoice that he carries on, breathes his profession as his native air, makes pictures of varying quality but persistently makes them.

In 1990, in *The Hunt for Red October*, Sean Connery was the commander of a Soviet nuclear-powered submarine who was considering whether to defect to the United States. In 2002, in **K-19: The Widowmaker** (Paramount), Harrison Ford plays the commander of a Soviet nuclear-powered submarine—in 1961—whose loyalty is staunch. No defecting for him. He even declines American help in an emergency. (The screenplay is based on fact.)



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He is also a distinguished author on communications. The National Communication Association has twice awarded its Award for Distinguished Scholarship in Rhetoric and Public Address to Dr. Zarefsky. In 1986, he received the Award for his book, *President Johnson's War on Poverty: Rhetoric and History*, and he received it again in 1991 for *Lincoln, Douglas, and Slavery: In the Crucible of Public Debate.*

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Ford, who has moved from sex appeal and action in his screen persona to become a fount of integrity, does well enough. Liam Neeson, a genuine actor, plays the second in command and keeps trying to break his role out of the naval genre pattern (something Ford cannot do). All the technical stuff clicks along, but the persistent question is not the intrinsic drama but why this film was made. The actual story of K-19, which was grim and almost became a world catastrophe, was kept secret until the collapse of communism in the Soviet Union. Why did movie moguls think that this was the right moment for a tale of unflinching loyalty to the Soviet Union? Perhaps because the theme that runs through and that concludes the picture is duty, unquestioning duty. Perhaps the biggies thought that, if audiences could see such devotion in mere Communists, it would serve as a pungent lesson to us. ■

# Robert Brustein on Theater

## Varieties of Sensual Experience

One could make the case that theater is potentially the most voluptuous of the arts, considering its special ability to appeal directly to the senses. Only dance can compete with the fleshly and erotic capacities of the stage, and it lacks the thrilling component of the human voice. (When it comes to vocal splendor, theater is of course no match for opera, but it goes without saying that the sensual appeal of opera singers is not primarily visual.) For the past twenty years or so, Martha Clarke has been adapting her choreographic imagination to theater forms precisely, one suspects, because of the way movement, music, and language can be combined to erotic effect. Her works are pulsing with sexuality, but also drenched in morbid images: she never lets us forget how closely Eros and Thanatos are linked.

**Vienna: Lusthaus (Revisited)** is a new version of a piece that Clarke created in the 1980s in collaboration with Charles L. Mee (book), Richard Peaslee (music), Robert Israel (set and costume design), and Paul Gallo (lights). All of these artists plus one of the original cast members (Paola Styron) are back in fine fettle, demonstrating a great if seldom-practiced imperative of theater: to keep its most vital works, like vintage cars, in a condition of continuous maintenance and fine-tuning.

A reverie that explores early twentieth-century Vienna, the play is based on the nude paintings of Egon Schiele and Gustav Klimt, the casebooks of Freud, and the dreams of Freud's patients—"the unconscious world," as the program says, "from which our tormented waking world springs eternally." That sounds a little like the preface to Strindberg's *A Dream Play*, and in truth Strindberg, along with Robert Wilson (a recent Strindberg interpreter), is an additional if unacknowledged influence on Clarke's imagination. In fact, Mee's contribution to the piece is essentially dramaturgical—a pastiche of citations from letters, diaries, and journals—just as Peaslee's music often quotes from Johann Strauss, Alban Berg, and Bach.

The dreams in *Vienna* are inspired by a piece of architecture: the Lusthaus, or Pleasure Pavilion, an octagonal structure built in the Austrian capital in the sixteenth century. The Lusthaus is another example of how Clarke's imagination is aroused by visual and erotic stimuli. Sexual love is the subject of the work, sexual love in its various forms—heterosexual, homosexual, narcissistic, incestuous, bestial. For Clarke, fin-de-siècle Vienna represents eroticism (and perhaps also Jew-baiting) in its most abandoned form. After lulling us with the elegant civility of military officers, demure ladies, and Strauss waltzes, she evokes dream images of increasing coarseness and violence.

In a tilted room designed by Israel, the cast of eleven, in company with five musicians (some of whom appear on stage), wearing the designer's blue and red military tunics, white shifts, gray and black dresses, and striking ballroom gowns, enact a series of cryptic scenes behind a scrim that gives everyone a textured look. One officer prances like a horse while two others applaud the dressage. Six women in white discuss their sexual experiences in crude language. A soldier and a maiden compare their sex lives to a train going through a tunnel. A soldier looks down the bodice of his lady love, examines her vagina, spanks her, and drops her to the ground. Another soldier strips a girl down to her black stockings. She is joined by other women in black stockings, evoking memories of Marlene Dietrich in *The Blue Angel*. A man in long underwear, wearing shoes on his hands, literally becomes his own lover in acts of oral and genital gratification.

This last episode is one of the few retained from the original *Vienna*. Most of the movement, and almost all of the text, has been newly created. The eroticism has been accentuated, and so has the anti-Semitism. (In one section, a speech in English and German, the latter spoken by the mournful Elzbieta Czyzewska, describes why the Jew is prevented from serving in the infantry and thereby becoming a full citizen: his foot is "so shaped as to render it impossible of walking long distances.") But both versions end the same way, with a query about decomposition—"What colors does a body pass through after death?"—as snow falls on the living and the dead.

The entire company, including the musicians, execute their responsibilities with remarkable poise and command, and the evening is full of strong scenes and unexpected shocks. But the objection I had when I first saw the piece remains. Although it maintains a unified mood, *Vienna: Lusthaus* does not move sequentially, and thereby sacrifices any cumulative narrative power. As a result, the episodes sometimes seem unanchored, disconnected. But even when your mind is tempted to wander, the work's visual beauty and haunting grace are arresting. This is a theater piece by American artists of rare vision and quality.

The season being summer, it is time for Shakespeare, particularly **Twelfth Night**, which, along with *As You Like It* and *A Midsummer Night's Dream*, is a perennial favorite of outdoor festivals. In my time, I must have endured a hundred nights of *Twelfth Night*, one of them not that long ago in the very Delacorte Theater where the current version is being staged, the sole offering of the New York Shakespeare Festival's summer season. Like that previous production, which starred Michelle



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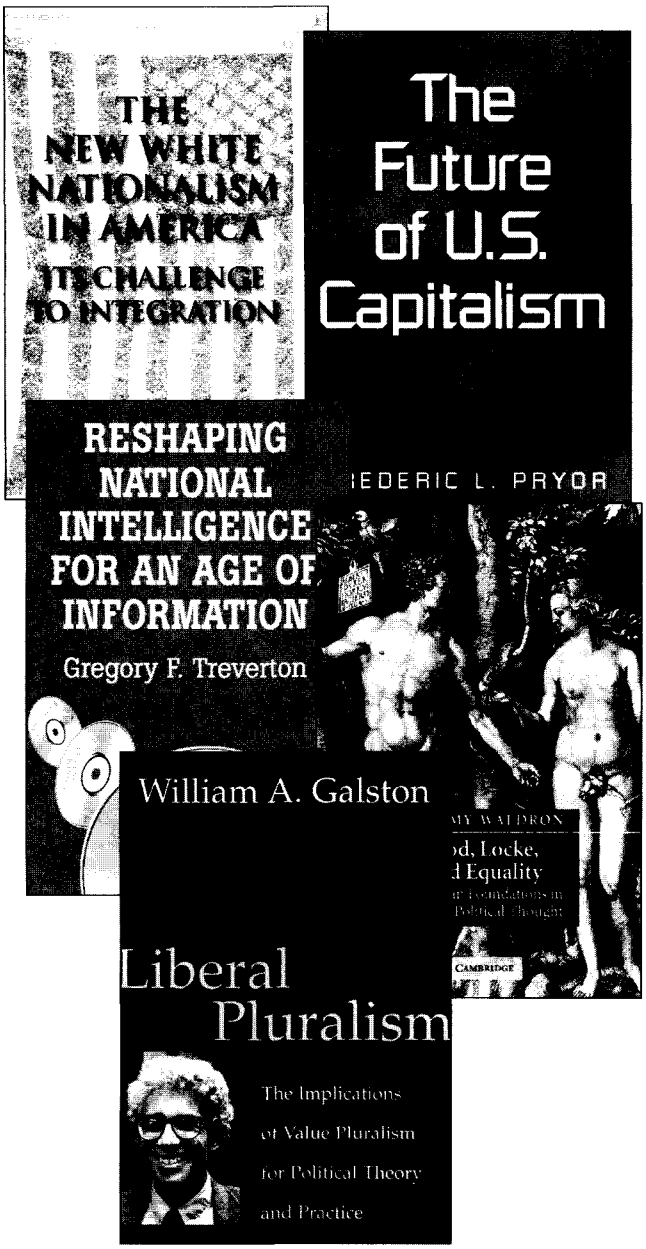
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Pfeiffer and Jeff Goldblum, this one is a celebrity gathering featuring a number of movie and television luminaries. Some of these actors, notably those with stage experience, actually have some chops. Others should have been advised not to serve their theater apprenticeships in important Shakespearean roles.

They have not been helped much by their director, Brian Kulick, whose imaginative contribution seems to have been pretty much exhausted by the visual concept. Walt Spangler's attractive design, set against the green-carpeted, moon-drenched background of Central Park, is composed of a majestic blue fun-park scoop that occupies half the stage, on the rest of which sits a derelict wreck of a blue ship with a huge hole in its side. Through this opening can be glimpsed a bit of the cargo—notably a large nude odalisque—which suggests that Sebastian and Viola might have been engaged in smuggling paintings into the Florentine art market before being shipwrecked in Illyria. The blue ship serves as a prop for the court scenes. The scoop provides the occasion for most of the physical action, which consists mainly of characters sliding down the polished wooden surface on Persian carpets. This is fun for about ten minutes. After the eleventh or twelfth such prank (and virtually every member of the cast gets a shot at it), it begins to grow a trifle tedious.

This *Twelfth Night* is lovely to look at—Miguel Angel Huidor's colorful nineteenth-century costumes and Michael Chybowski's shimmering lighting are especially attractive. But it lacks a strong interpretive approach other than the way it finds double entendres (otherwise known as Shakespeare's bawdry) in much of the language. Is Kulick trying to prove Viola's belief that "they that dally nicely with words may quickly make them wanton"? To be sure, *Twelfth Night* has many such verbal allusions, the broadest being the way Malvolio unconsciously spells out a rude word for Olivia's private parts. And it may be that Shakespeare's adolescent weakness for sexual puns is especially riotous in *Twelfth Night* (like Feste, Shakespeare in his lighter moments is a "corrupter of words").

But the play also enjoys a sensual understructure that is almost entirely ignored in this production. The lesbian implications of Olivia's attraction to a young woman disguised as a boy are hardly touched upon, largely because Julia Stiles's Viola fails to summon up more than a pinched smirk in response to Kathryn Meisle's insistent attentions. With her singsong delivery and immobile features, Stiles is the latest in a Central Park tradition of casting untrained movie stars in ingenue roles, and it does not help her already weak vocal projection that the airlines seem to have timed their shuttles over Manhattan to muffle her speeches. Stiles and the considerably more mature Meisle often seem to be in different plays—or, more accurately, different media.

Similarly, although Antonio's passion for Sebastian (Zach Braff) gets some emphasis with the help of a subtle performance by Sterling Brown, the impact of Viola's gender confusion on Orsino's sense of male pride is barely explored. This is not to say that Jimmy Smits's Orsino lacks manliness—he comes off as a very dashing romantic swashbuckler in his red dressing gown and hussar uniform. But once Orsino has established his infatuation with music, the director leaves him nowhere to go. Nor has the composer (Duncan Sheik) provided much in the way of lyrical support. The songs are of indifferent quality, and they are indifferently sung by Michael Potts as Feste.

Where the production finds some strength is in its comic scenes. Oliver Platt as a Dickensian Sir Toby and Michael Stuhlbarg as a spindly Sir Andrew generally form a strong team, looting the beached ship and squirting wineskins at each other. And Christopher Lloyd's Malvolio, a shiny-domed menace out of *The Island of Dr. Moreau*, is a good foil for their foolery. But considering Lloyd's genius for manic farce, it is puzzling that he seems so restrained here and fails to capture some of the pain and rejection that lies beneath the pompous self-satisfaction of an egregious ass.

By the time this *Twelfth Night* ends, it seems to be well into its thirteenth night. The production has long since exhausted our goodwill and patience. The recognition scene, in which Viola and Sebastian take about ten minutes to acknowledge that they are brother and sister—surely this is what Ionesco was satirizing in *The Bald Soprano*, where a long-married husband and wife have a hard time recognizing each other despite mountains of evidence—seems even more interminable than the one in *Cymbeline*. We are no longer interested in which Jack gets which Jill, because we've never believed in any of the relationships. There was more sense of the play, and more playful sensuality, in the concluding scene of John Madden's *Shakespeare in Love*—in which Gwyneth Paltrow, her wet smock clinging to her delicate body, walked from the sea to alight upon the beach of Illyria—than in this entire plodding three-hour evening. ■

# Jed Perl on Art

## Lyricists and Empiricists

**Gustave Le Gray,** one of the masters of nineteenth-century French photography, is the subject of a luminous retrospective at the **J. Paul Getty Museum** in Los Angeles, a retrospective in which the artist's fascination with the art and the science and even the phenomenology of photography are mingled in ways that can feel startlingly, confoundingly contemporary. Le Gray was a technical innovator who published photographic manuals, but he also produced some of the most powerfully lyrical images in the history of the medium. To confront his work is to be swept up in the double nature of photography, which has both a technical and an artistic relationship with the truth.

This doubleness fascinated the first generation that came to know photographs, and it is also key to the place of honor that photography has achieved in museums in the past quarter-century. Photography speaks in especially urgent ways to a public that is often skeptical about the freestanding value of art. Even the most elaborately contrived photograph, even the abstract photograph, is to some degree an impression of the disinterested workings of light and shade, and that disinterestedness anchors an artist's flights of fancy, or so many museumgoers instinctively believe. The magic of a photograph can feel more available than the magic of an oil painting or a marble sculpture. That is why photography is a capital attraction for visitors to the Getty in 2002, much as it was for the Parisian public some one hundred fifty years ago.

The wonder of photography inheres in the way that the photographer juggles



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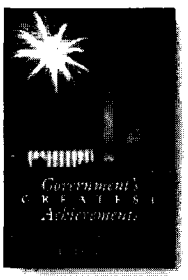

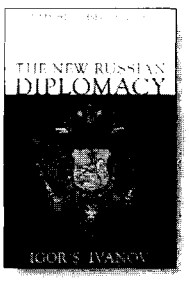


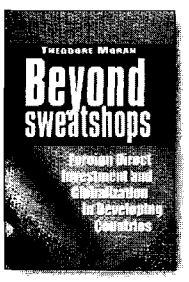


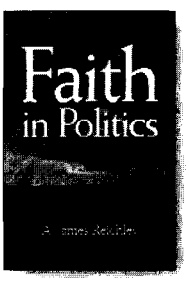


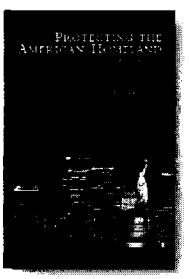

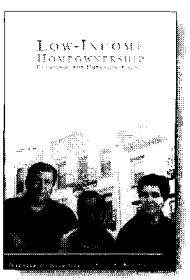


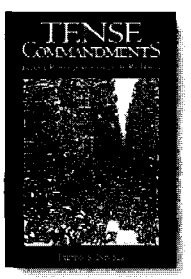


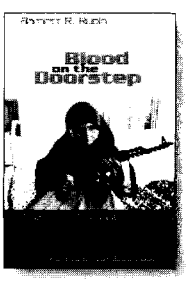


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a whole variety of experiences, ranging from scientific to technological to artistic. When Le Gray is at the top of his form, in certain views of old forests and shimmering seashores and worn Romanesque cloisters and military maneuvers conducted on misty mornings, he is orchestrating different elements in what amounts to a magician's repertory, balancing everything with a daring subtlety. Le Gray's work is exploratory rather than declarative. He knows that when nature is looking its most guileless it probably has a trick up its sleeve. He is in sync with the logic that fuels the informality of appearances. There is an easygoing watchfulness about his attitude toward the natural world. The photographs have slightly offbeat rhythms and pleasingly uncomposed compositions. In Le Gray's work, nature and art do not trump each other: they live on equal terms. Looking at his woodland scenes, a museumgoer may feel that Le Gray has stumbled into these dappled forests. The patterns of light and shade playing over tree trunks are fleeting effects to which his camera grants a mysterious inevitability. His work has a visual music that is as delicate as the scent of the air on an autumn afternoon.

I happened to be at the Getty on the day that the Le Gray retrospective opened to the public. The galleries were fairly crowded; it was clear that Le Gray was holding museumgoers' attention. (The exhibition, which originated in a larger version at the Bibliothèque Nationale in Paris last spring, is in Los Angeles until the end of September.) I would not have expected visitors to establish such an immediate connection with Le Gray, whose photographic prints, at least when judged by contemporary technical standards, can seem overly soft-edged and lacking in detail, and whose views of Paris and Egypt might strike some as remote, as blandly historical. Yet the antique character of these vintage prints probably intrigues a public that takes the one-hour photo shop for granted and sends snapshots to friends over the Internet. The reason, I think, is that in an artist such as Le Gray we are witnessing the prehistory of photography's present ubiquity. Going into the art museum, which visitors may sometimes dread as a place dedicated to so-called timeless values, they find instead the time machine that is photography. Le Gray—who trained as a painter and was never indifferent to Art with a capital A, but was also attracted by technology's progressivist vision—may have a particular fascination for museumgoers who are ambivalent about the transcendent claims of art.

We have traveled a long way from the early 1970s, when interest in Le Gray and a great many other nineteenth- and twentieth-century photographers was in its infancy, when the case for their work was still being made by a small group of fanatics who were thrilled to be unearthing some nearly forgotten chapters in the history of the modern world. The catalogue of the Le Gray show, which is a translation of the volume published by the Bibliothèque Nationale, reflects the substantial scholarly labor of the past generation. We now know a great deal about the life of the master. He was born in 1820, studied art in Paris and Rome, ran a famous photographic laboratory and school in Montmartre in the early 1850s, went bankrupt after opening an elaborate photographic establishment later in the decade, and died in obscurity in Egypt in 1884. Sylvie Aubenas, chief curator of photography at the Bibliothèque Nationale, organized the show in Paris and wrote much of the catalogue; Gordon Baldwin, a curator at the Getty, is responsible for the American version of the exhibition and the catalogue.

The place of honor that the history and the study of photography now hold at the Getty and so many other museums would have been unimaginable a generation ago. And yet the relationship between art and photography and the public has remained unsettled and bafflingly complex. Those who say that the history of photography has at last earned its proper place are not wrong: photography shows have become popular hits for museums, a development that the great photographers would obviously have celebrated. But such widely publicized events may also give a false air of establishment presentability to work that in fact reflects the quirky imaginative forays of the experimentalists and the dreamers who were the true pioneers in this unpredictable medium.

To go to a photography show in a museum is to enter the Temple of Art but with an escape hatch, with an exit that takes you straight back to Life. While this is not necessarily a bad thing, it is an aspect of the museumgoing experience that ought to be more forthrightly acknowledged. The appeal of a big, dizzy survey show such as "New York: Capital of Photography," which Max Kozloff, a veteran critic, has organized at the Jewish Museum in New York, has as much to do with the city itself as with what one or another photographer has thought about the city. The artistry of Stieglitz, Coburn, Hine, Strand, Shahn, Siskind, Evans, Levitt, Goldin, and others is abundantly evident, but it is an artistry that keeps being dissolved in the strong solution that is mad Manhattan. Sometimes it seems that the more formidable are a photographer's skills as an organizer of forms, the more he or she gives us back the city on its own irascible and irrational terms. The photographer may lead, but in the duet that is the art of photography the subject is often the fascinating partner whom we can't take our eyes off. At one point in his long catalogue essay, Kozloff observes quite accurately that "fiction and painting are not arts comparable to photography, where the relations between subject and object take place in the real world." And when New York, the real world in which subject and object meet, is also the world in which the public encounters the photographs, as is the case at the Jewish Museum, you may feel that you are not so much in a museum as in a heightened, hyperbolized version of the street.

The museumgoing public can regard even the photographer who takes the most austere art-for-art's-sake position as a literalist, a journalist, a documentarian, or even just a snoop. In the same couple of weeks that I saw Kozloff's ode to Manhattan at the Jewish Museum and the Le Gray retrospective at the Getty in Los Angeles, I also saw "Edward Weston: The Last Years in Carmel" at the San Francisco Museum of Modern Art, and the crowd there seemed as keyed up as the crowds in New York and Los Angeles, even though the photographer whose work they were confronting has the reputation of being an austere, otherworldly sensualist. Weston's isolated objects, his oddly cropped landscapes, and his cult of the perfect print suggest that detachment is the purest form of feeling. And yet this exhibition of his late work felt almost melodramatic, a brooding self-portrait of a man at a particular time in a particular place. The images of surf and rocks and tide pools are often velvety dark, with bits of foam and seaweed and driftwood contributing a veining of whites, giving the images a rustling animation.

And this show, which was organized by the Art Institute of Chicago, is not the only Weston exhibition that has been seen in recent months. "Edward Weston: Photography and Modernism," the last in a triptych of Weston shows that originated at the Museum of Fine Arts in Boston, is completing a national tour at the Phillips Collection in Washington, D.C. this summer. There is something to be said about the prominence of Weston, a tough-minded West Coast aesthete, in the age of the blockbuster show. This artist who



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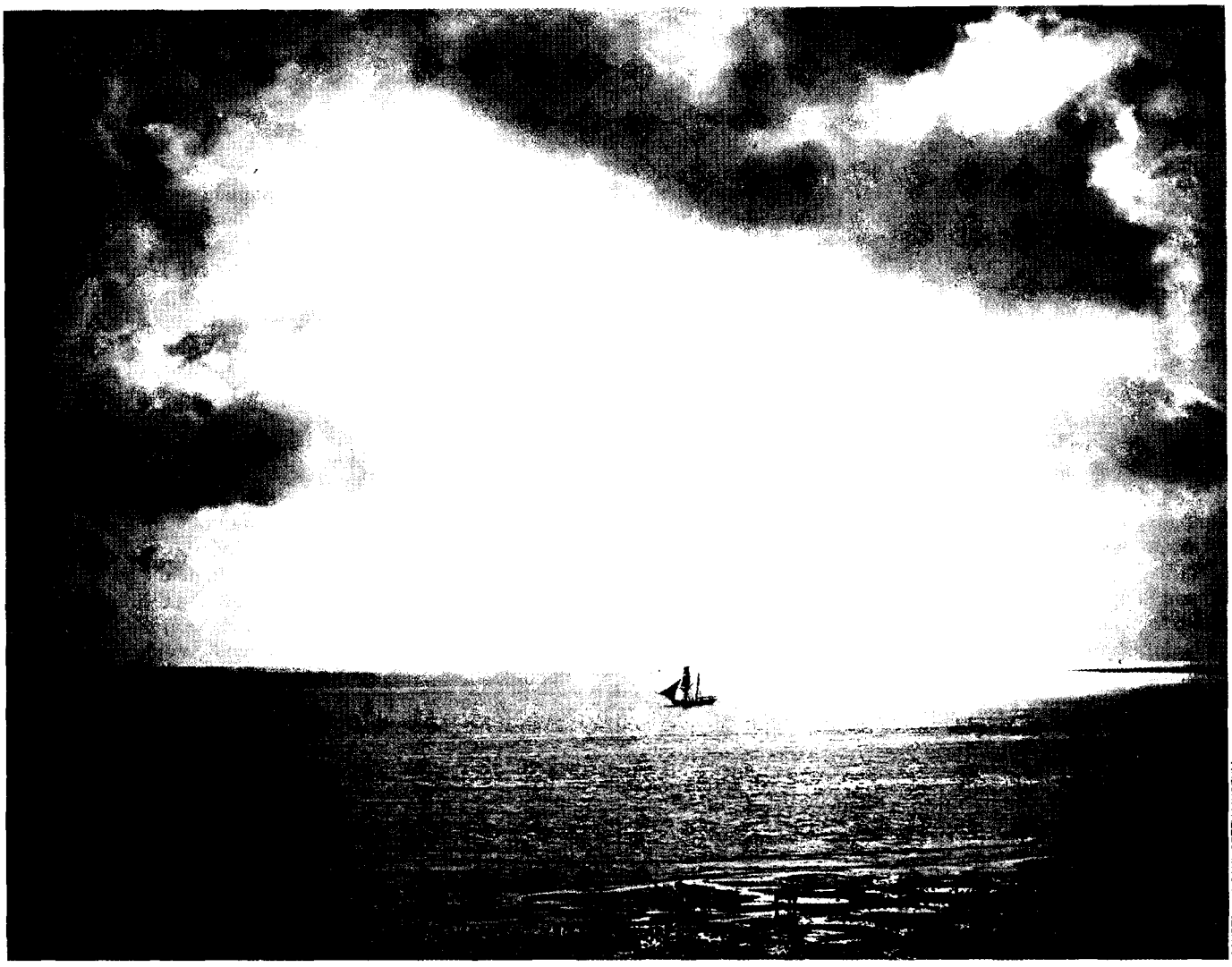

COURTESY J. PAUL GETTY MUSEUM

Gustave Le Gray, *The Brig*, 1856

believed that a piece of driftwood could be more beautiful than the Venus de Milo has emerged as a hero for the fashion-and-design crowd that has cashed in on a growing taste for minimalist Americana, and perhaps Weston's new admirers are not incorrect to think that he was, in his own way, a materialist. Weston's photographs might be said to describe precisely the bleached white décor that you need if you are setting up a certain kind of ivory tower.

THE GREAT PHOTOGRAPHERS are all, in one way or another, ambiguous figures. They see what anybody can see, but they see it in their own way. They celebrate the communality of experience, and they trump it, too. In the work that certain artists—among them Le Gray and contemporaries of his such as Édouard Baldus, Henri Le Secq, and Charles Nègre—were creating in the earliest years of the medium, these paradoxes are only just emerging; the poetry and the prose of photography have not yet been neatly split apart. In her catalogue text, Sylvie Aubenas presents Le Gray as an exemplary figure in a period when photography's technical and artistic innovations lived on easy terms. The plangency of his work reflects a time when definitions had not yet hardened. Le Gray's greatest works date from the 1850s, when photography was still a kind of avant-garde. He was an innovator in the positive/negative paper process invented by William Henry Fox Talbot in 1840, a process that on account of the softness and the broadness of its effects never caught on with the public that had immediately admired the diamond sharpness of daguerreotypes and that, beginning in the mid-1850s, embraced the clarity of prints from collodion-on-glass negatives.

Aubenas reminds us that Baudelaire's famous attack on the philistinism of the public that preferred photographic truth to painterly imagination dates from 1859. The poet, like a number of other critics, was responding to the industrialization of photographic processes and the explosion of popular interest in photography, especially in inexpensive portrait photography, after 1855. Although Le Gray did some of his finest work in 1856 and 1857, his essential attitudes reflect a slightly earlier period, when the empiricism of photography had not yet trumped the lyricism of photography. Today his appeal may work in reverse: a public that arrives at the Getty because it is fascinated by the veracity of photography may be captivated instead by the poetry.

Le Gray's life was marked by the zigzagging highs and lows that we know from the plots of nineteenth-century fiction. His marriage to a poor girl when he was studying in Rome looks like an infatuation that got out of hand; and his palmy years in Paris in the early 1850s, running his photographic laboratory and school and going on photographic expeditions with his pals, recall the flash-in-the-pan halcyon interludes in Balzac's



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coming-of-age stories. His attempt to establish a huge photographic establishment in the heart of Paris in the mid-1850s, just as the market was heating up, led to ruin. Le Gray had no head for business. He was undone by the economic consolidation that overtook the photographic industry in the late 1850s.

Toward the end of his Parisian period, Le Gray was befriended by Alexandre Dumas *père*, who hired him as the official photographer for a widely publicized Mediterranean cruise. Arriving in Palermo—where Dumas came just in time to celebrate the triumph there of Garibaldi, of whom he was a great supporter—Le Gray photographed the war-torn city. But shortly after that Dumas's cruise dissolved, and Le Gray, unable to return to France on account of his debts, ended up in Egypt, where he did a last group of photographs and lingered. He died there in 1884, a world away from his family and forgotten in a fast-changing photographic world of which he had once been a pioneer.

## Conduit

Because the branches of the tall trees surrounding us
are winter bare, the moon has been able to project
its luminance more than usual these past few nights.
I went to bed thinking about the Pashtun word
that translates as "man-with-no-penis" and means
"man-who-doesn't-beat-his-wife," but woke up
thinking about a writer I used to know, a woman
whose re-marriage was featured in the Sunday Times.
In our courtyard, above the spindle-tip branches,
the moon looked sublime, unfazed by footprints
and flags, the cost of reflecting back to us our secrets
from the one side of its surface ever available
to be read into. Once, on a transatlantic red-eye,
eye level with the moon, I stayed awake all night
leveling with myself, my life stripped clean
under the discipline of her indifferent gaze.
—O Moon, what I want back now is not my naïveté
but my nerve, through which your implacable waves ran.

**Carol Moldaw**

In the finest work by this man who suffered so many disappointments, the world dissolves into a succession of vignettes and vistas, each with its own kind of muted naturalistic opulence. The relatively long shutter speeds of early photography—which meant that figures in motion on city streets would appear as blurs, if they would appear at all—resulted in depopulated urban vistas that had an inherent unreality. Le Gray underscored this sense of the city as less a public domain than a private fantasy through his alertness to the abstract play of shadow; he turns the patterns of light and shade on an iron bridge across the Seine into a free-standing visual adventure. He is mesmerized by the little things. It is Le Gray's capacity to cast a kind of photographic spell over objects that has led some observers to view him as the great precursor of Atget.

In the 1850s, Le Gray was commissioned to photograph monuments around France, and his views of the Romanesque cloister of the cathedral at Le Puy, with its elaborate basket weave of stonework, and of the cloister at Moissac, and of the ruins of the town of Carcassonne, are suffused with the secularized spirituality that was at the very core of the aestheticism of the nineteenth century. When Le Gray photographs Romanesque monuments, the birth of photography seems to meet the birth of the Middle Ages, and there is a break-of-day beauty to the results, despite the fact that the photographs are a century and a half old and the buildings that they record are much older. There is an easygoing curiosity to Le Gray's approach, in rural France or in Paris or in Palermo or among the temples of Egypt. His responses are unpredictable. He rarely stoops to the clichés of the picturesque.

Le Gray refuses to wear his artistry on his sleeve. Even the most unabashedly lyrical of his images have a welcome astringency. The seascapes that he did in the mid-1850s—they were then, and are now, among his most admired works—are technical feats, often involving two negatives, one for the water and one for the cloud-strewn skies, which required different exposures. Photographing surging surf and banked clouds, Le Gray salutes the dangerous romantic freedom of the ocean, and so closely prefigures the seascapes that Courbet painted a decade later that many have wondered whether—or, perhaps, how well—the painter knew the work of the photographer. One feels that Le Gray with his camera, as much as Courbet with his paints and brushes and palette knives, wishes to nail down effects that are always on the verge of de-materializing.

Perhaps the most moving of these seascapes are the images that include boats near the horizon. Those ships become a sort of stand-in for the photographer, a point of hoped-for stability in this constantly shifting world. In one of Le Gray's photographs, a sailing ship and a tugboat trailing a dark plume of smoke are tiny silhouettes amid the vast luminosity of sea and sky, and the result is a vision with the once-upon-a-time power of a fairy tale. The hard work involved in catching the elusive effects of water and wind and light gives the seductive pictorialism of these images a surging, big-hearted intensity. The rhythms of the ocean become the rhythms of the photograph.

Perhaps the most beautiful of all Le Gray's pictures was done in the fall of 1857, when he was commissioned to take a series of photographs of military life at a camp at Châlons, a series that includes portraits of officers, of the exotic Zouaves, of the elaborate tents, and of the outdoor meals set for Napoléon III. There is much that is charming and lively among the photographs that Le Gray did at Châlons, and in a few images he pushes through the polished mood into a realm of myth. On a misty October 3, Le Gray photographed a cavalry maneuver with a distant view of soldiers in high helmets waiting, one presumes, for an order to regroup. The figures of men and horses are as diminished, as frail, as the boats in some of the seascapes. The soldiers are ghostly, like tiny figures on a Japanese screen. A row of helmets, bobbing above a defensive embankment, suggests something out of an Indonesian shadow play.

This photograph presents a strangely aestheticized view of military life—a poeticization of warfare, which is regarded from a vantage point that is confoundingly aloof. The elegance of the uniforms and the maneuvers is fading away; the profile of a horse is attenuated, reminiscent of a sculpture by Giacometti. And the fact that this is not real war but the preparation for war makes it feel even stranger. Le Gray is playing with toy soldiers. What he offers is neither a glorification of the military life nor a criticism of it. We are left instead with a silvery meditation on the ritualistic refinements of the soldier's life. There is a gravity to the choreographed beauty of this small image that earns it a place among the



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great visual observations on the meaning of war, which include Uccello's *Rout of San Romano*, Leonardo's studies for the *Battle of Anghiari*, the prints of Callot and Goya, Orson Welles's *Falstaff*, and Kurosawa's *Ran*.

THAT GUSTAVE LE GRAY'S finest work should take us both back to painting and forward to the movies reminds us of photography's essentially transitional position in the history of image-making. There is always something promiscuous at the very core of photography, this technological wonder bursting with artistic possibilities. This is the Peeping Tom of art forms, and it generates a kind of psychological promiscuity in the audience, which is not always a bad thing. Viewers are willing to let their thoughts wander when they look at a photograph; this is not nearly so true when people are confronted with a painting or a sculpture. A person can use the photograph as a gateway into another time and place, or as a spur to memory; and although you can do the same things with other kinds of visual images, the transparency of photography, the sense that the maker stands back from what has been made, leaves you more at liberty to go wherever you choose.

Amid the debates that have raged for several hundred years about the rival claims of classicism and romanticism, form and feeling, abstraction and empathy, photography has always been on the side of romanticism, of feeling, of empathy; and it hardly matters if the photographer in question is one, such as Edward Weston, who styled himself a sort of classicist. Over time, the life in photography has a way of challenging the art. If the Weston of the 1930s or the 1940s was an austere sensualist, the Weston that we now see on museum walls is closer to a red-blooded sensualist. Weston might have wanted to present Charis, his second wife, as an abstraction in legendary images of a nude elegantly arranged against a backdrop of California dunes, but museumgoers have forced their own kind of pragmatism on this striking pictorial invention, so that Weston's formal conceit becomes an episode in an autobiography. In painting, the muses can remain muses, no matter how much we know about them. In photography, the muses have a way of turning back into family members—or family secrets. Photographs can lie, but they can also tell the truth even when the photographer would prefer that they do otherwise. It is easier to have an opinion about a person in a photograph by Edward Weston than about a person in a painting by Edward Hopper, because the photographer is less thoroughly in control.

PHOTOGRAPHY IS ESSENTIALLY anecdotal. And when the work of a number of photographic artists is gathered together in a panoramic presentation, the anecdotes can constitute a sort of crazy-quilt spectacle, and the spectacle can easily defy even the most ingenious curator's attempt to describe some overarching logic. The best way to regard "New York: Capital of Photography," Max Kozloff's show at the Jewish Museum, is as a boisterous, layered photographic portrait of a great city. If "Edward Weston: The Last Years in Carmel" can be experienced as a salute to California living, and the Gustave Le Gray retrospective can be regarded as a resurrection of nineteenth-century France, "New York: Capital of Photography" is unabashedly a case of New York making love to itself. Kozloff's selection gives us the charged drama of Manhattan's streets. He is especially attracted to quickening, dancey images. This is a New York in perpetual motion, a city in which everybody is always in the thick of things together. The show does not distill the New York experience, it recapitulates it: you come out with a bit


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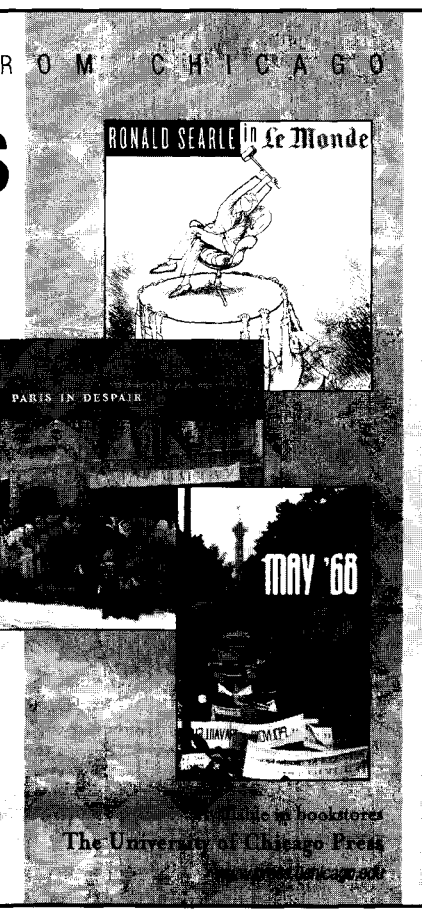


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of a buzz in your head.

Unfortunately, Kozloff and the Jewish Museum have not had the good sense to let this giddy salute to a magnificent modern city tell its own story. They have insisted on shoving the flickering anecdotes into a pasteboard theory. Even before museumgoers enter the exhibition, they are confronted with a wall text by Kozloff in which he explains that the vision of New York "as an epic concourse of displaced peoples" that we are about to see "was created largely by Jewish photographers, many of an impoverished Lower East Side background." This is, to put it politely, a sweeping generalization. Even the photographers who happen to have been born Jewish were often working with a snapshot aesthetic that grew out of the ideas of the Surrealists, and there is nothing particularly Jewish about any of that.

Since it is only at the very end of his long catalogue essay that Kozloff really argues for the Jewishness of New York photography, I would not be surprised if it was the staff of the Jewish Museum who pressed for this flourish of sociobabble, which Kozloff then managed to convince himself was a good idea. I think that Kozloff knows he is on thin ice when he goes off on his Jewish tangent. He observes that many of the photographers who have been interested in New York have been Jewish, but that no more means that their work has a Jewish element than the observation that many surgeons are Jewish would suggest that their surgery has a Jewish element. Those who celebrate the Jewishness of everything often end up sounding uncomfortably like some of the Jews' worst enemies. Kozloff goes on to suggest that Jews are outsiders and therefore understand New York, where everybody is an outsider, but the observation is so general as to be useless. "It was as if these photographers of Jewish origin," Kozloff explains, "were able to comprehend a minority status that permeates the whole city as a generic condition. They set the terms of discourse." Couldn't one as easily argue that Jews felt like insiders in New York?

The idea that a Jewish sensibility is inherent in the photography of New York is too flyweight to justify much discussion. This is not to say that some such argument about the Jewish immigrant mentality, presented in a more circumscribed way, might not be usefully applied to the work of a particular photographer, much as traditional Jewish attitudes toward graven images have from time to time been helpful in understanding the impulse toward abstraction among certain (but not all) Jewish artists. Yet these are the kinds of arguments that lose their shape as they expand. Kozloff's thesis about Jewish photography does not amount to much more than free association; and if it achieves a certain amount of credibility in this period when contextualization has been carried to any and all lengths, it is because photography, which is the medium that never stops reminding us that there is a big, crazy, unpredictable world out there, is one of the contextualist's most popular tools. Photographs are always inviting us to close the gap between art and sociology, between art and biography. At least that is the way photography is frequently presented in museums, where education is too often thought to be the goal, rather than experience.

There is no denying that photography is messy. At the core of even the most austere of Edward Weston's images there is a make-do spirit—he has created his abstractions out of what is at hand. In the photographs that Helen Levitt took of kids on the streets of Harlem in the 1940s, which are among the most enchanted visions in "New York: Capital of Photography," we feel the artist again and again crossing the line between inspired snapshot and something else. That Levitt's effects might be merely random is part of their fascination. As for Gustave Le Gray's most beautiful photographs, they often have the teasing completeness of certain kinds of found objects; he seems to be mostly focused on the particularity of things, and to regard composition as a fickle business best left to take care of itself.

At a time, such as ours, when so much of the museumgoing public does not know what to make of art, photography can seem a simpler, more immediate kind of pleasure. The audience can also see that if we are not alive to the biographical and the novelistic and the sociological possibilities of photography, then we have not grasped the nature of the medium. But for this very reason, on account of this wonderfully boisterous aura of limitless possibility, photography makes special demands on the museumgoer. In the end, photography necessitates a certain discretion on the part of the audience—and on the part of curators, too. We are not wrong to regard photographs, even the most finely designed ones, as fragments torn from life. But we must also allow photography the mysteries of art. In Gustave Le Gray's work we are witnessing nothing less than the invention of artifice. ■

# Roman Holiday

*By* JAMES WOOD

## Why I Am a Catholic by Garry Wills

(Houghton Mifflin, 390 pp., $26)

"THERE ARE BUT two alternatives," wrote Cardinal Newman in 1864 in the *Apologia Pro Vita Sua*, "the way to Rome, and the way to Atheism: Anglicanism is the halfway house on the one side, and Liberalism is the halfway house on the other." It is hardly surprising that Garry Wills, though he cites Newman abundantly in his new book, omits this proud bark of characteristically desiccated implacability from one of the great Catholic converts. After all, Wills, in Newman's terms, is the very bricks and mortar of a halfway house. The Newman who, as a good Catholic, asserted that "the Church must denounce rebellion as of all possible evils the greatest" would be horrified by Wills, a Catholic who for many years has been—in both senses of the word—liberal with rebellion, and a distinguished critic of both the current pope and the papacy in general.

Wills has good reason to avoid Newman's challenge, since his book, which is a kind of apologia, inevitably provokes, at least in non-Catholic readers, a skepticism that is the close cousin to Newman's certitude: namely, why is Wills not a Protestant, and why is he not an atheist? Newman converted from Anglicanism to Catholicism, and his conversion excited the suspicion that always attends the shift from one fierce position to an equally fierce position that is ostensibly in conflict with it: such conversion may look less like development than doubleness, less



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# The Unrelenting and Virulent Hatred of the Arabs

## Will peace ever be possible under those conditions?

After over fifty years of statehood, Israel is a lone outpost of Western civilization and its values. The Arab nations surrounding it are a swamp of terrorism, corruption, dictatorship, and human enslavement. But the hatred of the Arabs against Israel and against all Jews is so abiding and so virulent that peace, at least for the foreseeable future, seems to be most unlikely.

## What are the facts?

**No "Sacrifice" Will Overcome the Hatred:** Many still believe that the conflict between the Arabs and the Jews could be settled if the Israelis were willing to bring greater "sacrifices for peace". Such "sacrifices" would include relinquishing ever-larger portions of their tiny country (less than half the size of San Bernardino County in California) to the Palestinians, dismantling the "settlements" in Judea/Samaria (the "West Bank"), handing the Golan Heights to Syria, and allowing the "return of the refugees" a group that has grown miraculously from about 500,000 to somewhere around 5 million, and the absorption of even a substantial fraction of which would signify the demographic end of the Jewish state. But by now, after almost two years of the bloody war against Israel in the Al Aksa Intifada, it is clear to even the most confirmed "doves", to even the most ardent supporters of the "Oslo Peace Process," that absolutely nothing that Israel could do, any further "sacrifice" that Israel were prepared to bring would satisfy the Arabs and would promote peace. The sad but irrefutable conclusion is that only the complete disappearance of Israel, its annihilation, its being wiped off the map could satisfy the Arabs and most of the Moslem world.

During his recent visit to Syria, not too long ago, the Pope listened to Bashar-al-Asad, the President of Syria, declare that "...the Jews have betrayed Jesus Christ, with the same mentality with which they tried to betray and kill the prophet Mohammed." (Disappointingly, the Pope did not protest this canard, either right then or at a later date.) Saddam Hussein, the tyrant of Iraq, expressed the wishes of his country and of the Arab world with the succinct entreaty "God damn the Jews."

> "Israel's only course...is to assume its previous stance of unflinching deterrence...and not to be inhibited...to preempt resolutely if it appears necessary to assure survival of the country."

**Mortal Hatred and the "Big Lie":** The "big lie," invented by the notorious Joseph Goebbels of Nazi infamy, is a mainstay of Arab hatred and propaganda. In Egypt and Jordan (the two Arab countries technically at peace with Israel), government-controlled news sources published that Israel had distributed drug-laced chewing gum and candy to kill children and to make women sexually corrupt. The Jews (Israelis) are being accused of having introduced foot-and-mouth disease in the Middle East. The age-old calumny of Jews using the blood of Christian and Moslem children in order to bake their Passover matzos is alive and well in Arab publications. The Protocols of the Elders of Zion, an egregious falsification originating in Czarist Russia, is a steady best-seller in all Arab countries. Among other malevolent fabrications, it accuses "international Jewry" of "limitless ambition, inexhaustible greed, and hatred beyond imagination."

In the controlled Arab press, Holocaust denial and accusation of the Zionists having been in cahoots with the German Nazis are regular features. Egypt's government-sponsored *Al Akhbar* newspaper has expressed fervent thanks to Adolf Hitler for having taken advance revenge on the "vilest criminals on the face of the earth." Still, it berates him for not having been thorough enough in his task of extermination. The Arabs do not consider Israel a normal country, but a creation of the devil, an excrescence, a malignant force of aggressors, murderers, infidels and barbarians. It should be destroyed, for the glory of God, no matter what sacrifices that might entail.

Mortal hatred against Israel and against the Jews is taught to Arab children from the very first grade. Children are encouraged to sacrifice themselves as martyrs and suicide missiles, with promises that Paradise with unimaginable pleasures awaits those who sacrifice themselves in the holy cause of killing Jews.

This bottomless hatred, a hatred that pervades the Arab world in all strata of society and is incessantly fomented by Arab governments, including those supposed to be "at peace" with Israel, cannot be assuaged by negotiation or by making any further "sacrifices for peace". Nothing will suffice, except the destruction, the complete disappearance of Israel. The Arab states, having been unable in over fifty years and in many wars to defeat and exterminate the hated Jews, are now feverishly arming themselves with "conventional weapons" (easily purchased from the West, including, sad to say, from the United States), and are ardently pursuing the development of weapons of mass annihilation. Just as the suicide bombers do not vacillate to sacrifice themselves, one can safely expect that, once in possession of such weapons, the Arabs will not hesitate to sacrifice millions of their own people in order to destroy Israel. Israel's only course in the face of this almost certain prospect is to assume its previous stance of unflinching deterrence and, as it once did in the destruction of the Iraqi atomic reactor at Osirak in 1981, not to be inhibited by "international opinion" to preempt resolutely if it appears necessary to assure survival of the country.

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like correction than incoherence. Analogously, the loyal critic, which is how Wills presents himself, can often seem too loyal to be the best kind of critic and too critical to be meaningfully loyal.

This debilitating tension runs throughout *Why I Am a Catholic*, a shrewd and learned—and finally a frustrating, limited, and contradictory—book. Sometimes, as when Wills discusses the early church, the tension between criticism and loyalty is nicely balanced and strengthens the argument. Too often, however, the result is weak criticism and weak loyalism. Wills the weak loyalist appeals to Augustine, Newman, and Chesterton again and again in this book, so as to raise, as it were, his proper Catholic credit; Wills the weak critic simply omits Newman's profound Catholic anti-liberalism, Catholic authoritarianism, intellectual mystification and circularity, and astoundingly presents him as almost a Willsian radical, on the side of reason and the people against unthinking authority. "What he hated instinctively was heresy, insubordination, resistance to things established, claims of independence, disloyalty, innovation, a critical, censorious spirit," Newman wrote about John Keble, his fellow Tractarian. He meant the comment as a compliment.

Wills's book is a response to a response: after his last work, the stirring and acute *Papal Sin*, many Catholics wrote to ask him how he could possibly remain in the church. What was his Catholicism, his correspondents asked, if he did not believe in the pope's authority, and if he felt that the history of the papacy revealed such immensities of fraudulence, deceit, hypocrisy, nonsense, and murderous malevolence? Was not the papacy really the church? One reader sent him, as his fix, a rosary packed in a prescription pillbox. Wills's reply in his new book is roughly that he is a Catholic because he believes in the creed (that is to say, he believes that Christ was God Incarnate, died on the cross for our sins, and rose to heaven); and because he was born a Catholic and is sentimentally faithful; and because his Catholicism is a blend of the early church and Vatican II—an institution devoted to the pope but not identical with him, shepherded by him but not ruled by him, and thus a church defined not authoritatively as an infallible centralized Roman institution but democratically as a body of God's believers, "the people of God."

Wills's church is not afraid to change, because it is not afraid to admit that it always has changed; and it is not afraid to admit to its fallibility, because it so palpably has been fallible. It is conciliar rather than monarchical, and the liberalizing Second Vatican Council, which ran for almost three years, between 1962 and 1965, is the model for Wills of what such a council, called by the pope but not bound to him, can do. Wills contends that the proof that the church is really defined by its laity rather than by its ruling elite is that most of the church has been quietly but firmly living the spirit of Vatican II since 1965, despite the efforts of Pope John Paul II to reverse that spirit. Most American and European Catholics, for instance, took no notice of Pope Paul VI's encyclical *Humanae Vitae* (1968), which reconfirmed traditional church teaching against contraception.

Garry Wills by Zach Trenholm for The New Republic

Wills clearly feels about the papacy that it is important to Catholicism, but not that important. On the one hand, the pope is merely first among equals, and is of course fallible, and may be overruled by church councils, and may be privately disobeyed, all of which has happened in the history of the church. On the other hand, "the pope is one of the reasons I stay a Catholic, not a reason for going." There is a contradiction in this, which one suspects Wills is aware of; you might even say that this book, which is dominated by a two-hundred-page-long history of the papacy, is above all an attempt to wrestle this contradiction into self-agreement. That a book which seeks somewhat to qualify the power and the authority of the papacy is so obsessively shadowed by it (and recall that this is really the sequel to Wills's previous book about the papacy) may say something about the pope-intoxicated Catholics with whom Wills feels he is doing battle. Or it may say something about pope-intoxicated Catholicism itself. Wills acknowledges the first deformity, but not always the second one.

In order to alter the papacy's relation with the church—to argue that the church is not simply bound to the pope, but the pope is also bound to the church—Wills has to re-characterize the Roman institution. He does this with wide learning and savage polemical knife-work. For Wills, the essence of the papacy is neither its authority nor its infallibility, but what he calls its "Petrine charism of unity." He means by this that the apostle Peter, from whom the pope takes his symbolic authority, was asked by Jesus to feed the Lord's sheep, and that this flock is one, unified but not controlled by Peter's representative. There are several relevant New Testament verses, but the most important occurs in Matthew 16:18-19, when Jesus



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tells Peter (*Petrus*) that upon this rock (*petra*) he will build his church. (It was this verse that prompted the punning Joyce to joke that the church was founded on a pun.)

Other Christian denominations, Wills feels, are "the poorer" for their lack of this Petrine unity. Wills never clarifies exactly why other churches are thus poorer, nor if they are indeed less unified; one smells here the old Catholic snobbery toward schism. On the face of it, Wills's logic must be wrong: it is precisely the tiny schismatic sect that is unified by its rejectionism (say, the terrifyingly ascetic, appallingly "unified" Free Church of Scotland, the so-called "wee frees," who found John Knox too easygoing), and the big old Catholic Church (and its large splinter, the Anglican communion) that is riddled with people, such as Wills, who spoil its unity so effectively. Anyway, Wills's own disputations against the power of the papacy and Rome somewhat tarnish the appeal of his otherwise cherished "unity."

WILLS REMINDS US that the early Roman church worshipped both Peter and Paul as the two great symbols of Christian unity. Both men died in Rome. Neither founded the Roman church, which had existed for twenty years before they reached Rome. The story that Wills tells of the early church seems designed to accentuate its provisionality, its widely scattered centers of power—Antioch, Alexandria, Carthage, Milan, Rome—and Rome's great theological irrelevance for the first five centuries of Christian belief. There were many churches, and the real activity was in the East, not the West. All six of the early councils, which established the canon of the New Testament and the form of the creed, and formalized the doctrine of the Incarnation and the Trinity, were held in the East. Rome was "far from the center of theological action," an "intellectual backwater." Though the bishop of Rome—the term "pope" was not uniquely applied to the Roman see until the fifth century—began to assert his authority, and to claim primacy, early on in the church's history, it was not until 254 C.E. that Pope Stephen made the first known use of Matthew's text on Peter as a stone, claiming that it gave Rome authority over other churches.

The early theologian Origen seemed to deny this use of Matthew's verse ("anyone who imitates Christ is a stone"), and anyway the first seven centuries of church history show that, far from being infallible, the pope was not even especially powerful. In 417, Pope Zosimus backed the

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heretic Pelagius against the wishes of the African church (which included Augustine), which sent a secret delegation to the emperor Honorius in Ravenna. When Honorius supported the Africans against Pelagius, the pope was forced to comply. Two centuries later, Pope Honorius (no relation) was condemned by a council for heresy; all new popes had to acknowledge the true faith, which involved confirming the error of Honorius. A hundred or so years later, in the 750s, a forged document began to circulate, the so-called Donation of Constantine, which purported to be the emperor's own granting of temporal and spiritual authority to Pope Silvester, and to all his successors. It was proved to be a forgery in 1440, but it had already done its legitimizing job: Wills concludes that the popes of this period (the eighth century to the fifteenth century) "built a huge system on a substrate of falsehood." Many of them probably believed the Donation to be authentic, but then, as Wills remarks, "a great deal of belief can come from *wanting* to believe." It is a sentence that might return to haunt him.

The early history is familiar to its students, and Wills merely re-presents it with sharpened angles, though it should be said that his notes reveal a wide erudition, based on the reading of primary texts in Latin, Greek, Italian, and German. Wills is convincing, and he reminds us that, inevitably, churches are scrappy installations that seek to pass themselves off as authorless masterpieces. His history shows us again how relatively belated are the doctrines and the habits that Christians appeal to as "tradition." Latin was not the language of the Mass in Rome until the third century; and the formal theology of confession, purgatory, and the calibration of sins (venial sins put you in purgatory, mortal ones send you to hell), along with its darker sibling, the system of "indulgences," had to wait until the late twelfth and early thirteenth centuries to be properly founded. The papacy, so Wills must hope, takes its place in this context of belatedness, human confusion, and assembled authority.

Of course, Wills's historicizing tendencies can do their intellectual work only if he is successful in prizing the church—seen as a changing, historical, human institution—from the papacy, which has never shown an inclination to think of itself historically. In this sense, Wills's Catholic history has a curious, naïve, utopian air, in which he is constantly implying the existence of a "real" church (the "people of God") even as he is constantly writing about, and doing battle with, the actual church—the papacy, Rome. He wishes to clear away the actual church, one feels, so that he may reveal the "real" church. But since the "real" church has always been represented by the actual church, Wills is in the curious position of always talking about the representatives while appearing to want to get beyond them. Whether such a beyond exists, and whether it can still call itself Catholic, is never addressed in this book; but it is, obviously, the crux.

IT IS HERE that Wills's contradictions show themselves. One might call them inherently Catholic contradictions, if that did not make it sound as if there were no inherently Protestant contradictions, too. Wills is a good Catholic, and he is at pains to remind us of his devotion. As a good Catholic, he needs to defend himself against the charge that he is really a Protestant who does not believe in the church but only in the authority of Scripture. Rightly, he observes of the early councils that "Protestants who would later say that only the Bible should be trusted, not the church, forgot how the Bible was created by the church during this time of sifting, to reach an apostolic consensus." A little later he writes that several of the doctrinal formulations of the first five centuries of Christian belief go beyond Scripture, and yet they are the basis of his faith. "In that sense, the creed I profess goes beyond Scripture (without betraying it)." Later still, he praises the sixteenth-century Council of Trent, which did battle with the early Protestant reformers, for "rightly" defending "tradition against the idea that 'Scripture alone' can save, since only tradition gives us the canon of Scripture."

This is an intellectually decent argument against Protestant scripturalism, but is it an intellectually decent argument for the Catholic Church? If Protestant literalism is incoherent, then Catholic ecclesiology is circular: trust the church because the church founded what we trust. And then the question must be asked: just what is the "tradition" for Wills? Late in his book he defines heresy etymologically as "selection," the belief in oneself as a select group. Heretics choose what they like and do not like, which is always a "narrow perfection." But how is Wills not selecting, also? If he believes in tradition, why does he believe the early formulated doctrines of the Incarnation and the Trinity, and appear to have little time for the later formulations, such as the idea of purgatory, or the idea of papal infallibility? Why does he accept the findings of the Vatican II Council, and not the ruling of the pope's encyclical on contraception? One is not questioning the wisdom of his doctrinal choices so much as the grounds on which he is able to make them at all.

FOR IF WILLS replies that he prefers the earlier doctrines because they issue from the early church, and prefers Vatican II because it seems close to the spirit of that early church (and this is essentially his case), then he is appealing circularly to church tradition, and incidentally is undermining his own argument about the scrappiness and the fallibility of the early church. But if he replies that the early doctrines, along with Vatican II, seem closer to the "spirit" of Christ than the twelfth-century formulations (and he says this, too), then he becomes the very Protestant scripturalist that he wants not to be, appealing to the Gospels, not to the church, for authority and inspiration.

The creed that Wills professes, he says, "goes beyond" Scripture without betraying it. But how does he know that it does not betray it? Only by being a good Protestant reader of the Scriptures, using his own judgment and his own conscience to select the central from the peripheral (thus the Incarnation is obviously a thousand times more important than fiddling with purgatory and venial sins, and contraception is not even an issue), and to intuit the true "spirit" (Wills's own word) of Christ in the Gospels. To a Protestant—more primarily, perhaps, to a non-Christian—this looks like common sense, like no more than that elementary task of literary criticism, which indeed had its religious origins in biblical criticism. But to a Catholic this ought to look problematic. Newman, at least, knew how to avoid the problem:

> I submit, moreover, to the universally received traditions of the Church, in which lies the matter of those new dogmatic definitions which are from time to time made, and which in all times are the clothing and the illustration of the Catholic dogma as already defined. And I submit myself to those other decisions of the Holy See, theological or not, through the organs which it has itself appointed, which, waiving the question of their infallibility, on the lowest ground come to me with a claim to be accepted and obeyed.

And just so that Protestants should not feel complacent, the difficulty with justifying one's belief by appealing to Scripture is that more or less anything can be justified in this way. (That is one of the pragmatic arguments for the firm dogmatic authority



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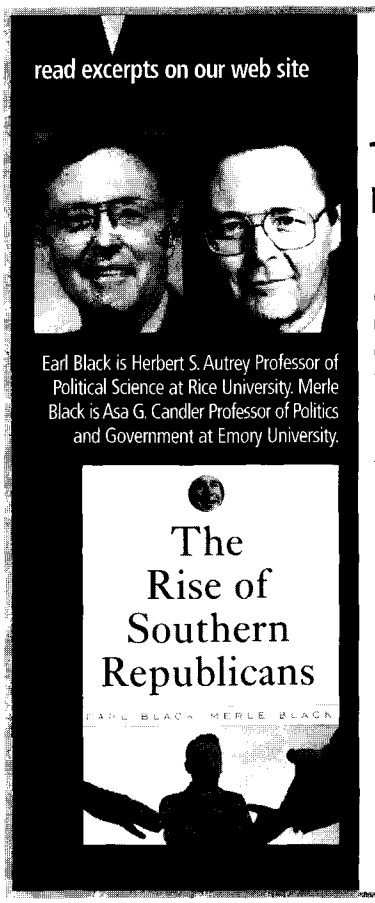
of the Catholic Church.) Jehovah's Witnesses, with their obsessive underlining of all appearances of the word "Jehovah"; Baptists, with their ecstatic reading of the baptismal scenes; Evangelicals, with their devotion to Jesus's instruction to Nicodemus that he be "born again in the spirit"; Pentecostal snake-handlers with their crazed reading of the last verses of the Gospel of Mark: all these are no more than bad readers, fetishists of the marginal, professionals of the detail rather than amateurs of the whole. And clearly mainstream Catholics and Protestants have been such fetishists from time to time.

BUT IF WILLS is a good Protestant reader of texts rather than a Catholic (as I think he is), should he be able to write that the pope is one of the reasons he remains a Catholic? Of course, all Christianity is an appeal to texts, and no more so than when the Catholic Church appeals to three or four verses to justify its celebration of Peter as the church's shepherd. Wills is alert to this, and well aware that Christ several times refers to himself as the stone (*petra*) on which the church has its sure foundation. Wills's firm command of the provisionality of the early history of the papacy, combined with his panoptic knowledge of the human sins of the popes through the ages, inevitably leaves him with a mere tuft of belief, a rather forlorn mantra that he intones again and again, "the Petrine charism of unity."

The Petrine charism of unity seems to be the frayed thread that connects Wills to his Catholicism. But should it? When would the thread fray enough to break? Wills proposes the sentimental argument that Peter, the weak man who denied Christ three times, is exactly the man on whom the church should be founded, "the weak and often mistaken man for whom the church exists," and he quotes Chesterton to the effect that "you're only as good as your worst man." Peter was even a "buffoon," which is exaggerated. It is a pretty picture, the great church balancing on the pinhead of fallible humanity, but Wills must know it to be no more than that. If we are going to applaud Christ for founding his church on weakness, doubt, and buffoonery, then why not choose Thomas, who doubted Christ's resurrection? Or have done with it and promote poor old Judas, no doubt laboring somewhere in hell? Why not, at that point, choose a much more likable secular buffoonery, and agree with Heine that "there is a god and his name is Aristophanes"?

This is exactly the kind of sentimentalism that Chesterton practiced by the word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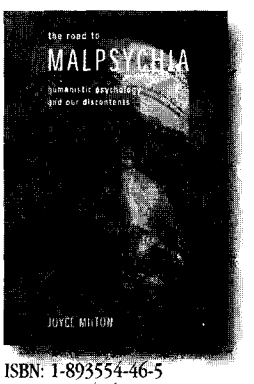


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count, day after day. It is contradiction saving itself by posing as paradox. Wills says that Chesterton was admired by Eliot; but he omits to tell us that Eliot said of him that "Mr. Chesterton has thoughts, but I see no evidence that he thinks." Chesterton is clearly adored by Wills, but the English journalist and loyal Catholic is a dubious sponsor at the best of times. He was really just a sentimentalist of the paradox, whose populism looked like flexibility but whose true orthodoxy was in fact extremely rigid. Thus, on the last page of his book, Wills approvingly quotes Chesterton on heresy: a heretic becomes one only, says Chesterton, "at the precise moment when he prefers his criticism to his Catholicism." The critical Catholic, he goes on, levels his criticisms, and is perfectly at liberty to do so (here is the populist Chesterton); but then the true Catholic (here is the orthodox Chesterton) accepts the ruling or arbitration of the church, because it is the church that knows best how to adjudicate such contentions. After all, the church is a balance of many moods and tendencies, "and membership of it consists of accepting the ultimate arbitrament which strikes the balance between them, not in refusing to admit any of them into the balance at all." In other words: make your criticism and then shut up. This is the very voice of dogmatic loyalism. It is perfectly commonplace and it would not have troubled Newman; but it is literally senseless when quoted by the exceedingly unorthodox Wills.

So when, for Wills, would the thread break? When would the combined folly and wickedness of the many popes constitute not only an argument against "the Petrine charism of unity," but evidence that this charism has never actually existed? Wills's own researches and formidably good polemical style force these very questions. His own history, like any good history of communism, necessarily raises a query about the point at which practice proves the unworkability, or worse, of the originating idea. After all, Wills's survey of the popes from the thirteenth century to the present could hardly be bleaker: we pass by the infamous Boniface VIII (the one punished by Dante in hell), who proclaimed a crusade against the families of two Colonna cardinals; Innocent III, who granted indulgences (essentially, promises of reduced time in purgatory) to the warriors who massacred the Albigensians in Languedoc; Urban VI of Rome and Clement VII of Avignon, two rival popes who excommunicated each other; Gregory XIII, who rejoiced in 1572 at the news of the St. Bartholomew's Day Massacre of thousands of Huguenots and had a festival Te Deum sung to commemorate it; Paul IV (1555–1559), who strengthened the Inquisition and compelled Jews in Rome to wear a yellow badge; Pius IX (1846–1878), who sheltered a Jewish boy kidnapped from his parents, and who canonized Pedro d'Arbus, a fifteenth-century inquisitor who presided over the forced baptisms of Jews in Spain. Of this pope, Wills appends the mordant remark that "only a pope like John Paul II could have beatified a man like Pius IX." Surely Gibbon, Hume, and Mill are clapping in their secular heaven.

But one asks again: which Petrine charism of unity? Of course, it is unreasonable to demand of a book titled *Why I Am a Catholic* that the author excommunicate himself on the page and declare his immediate departure from the church—a kind of inversion of Baron Münchausen pulling himself out of the bog with his own pigtail. But it is strange that after this bloody and numbing recitation, Wills swoons himself back into a Catholicism that sounds disturbingly tribal. Answering the imagined question, Wills says that just because one is a critic of one's country, one does not leave it. How, he wonders, would leaving the Catholic Church help that church? But perhaps the most primary obligation of the human mind is not to help the church. And Wills's argument that all churches are human and thus flawed—"where is a church not deeply flawed?"—merely raises to invisibility, by massively generalizing them, the specific and terrible flaws that he has so ably documented.

But Wills goes further. The church, he says, is the Petrine charism of unity, and the pope is not just the symbol of that unity but in some way the sacrament of it, something holy. "Heresy," he says, "is a sin against the sacrament of the unity of the church.... By historical development, guided by divine providence, the pope has become more strikingly the symbol of unity as the apostolic Churches have faded in importance." This is staggering. Is there a speck of evidence, in the history that Wills has himself just recounted, that divine providence has guided the development of the papacy? Either Wills has not told us about it, or—the only possible conclusion—divine providence is a murderous, malevolent, worldly, bloodstained, greedy, and confused agency.

It is a kind of insult to his readers to be using language like this after the boisterous secularism of his history of the papacy. And really, should Wills, of all people, be using the word "heresy" with so little apparent concern, with such obvious concession to the church's loaded terminology? Hasn't Wills earned the right to dispense with such language? But by this point in his book, Wills is not speaking to the general reader. He is waging an intramural debate with fellow Catholics, and trying to add zeroes to his Catholic account.

What else explains the extraordinary statement—after his survey of the history of the popes!—that "even in the darkest hours of the papacy, there is more life and light within the church than in the groups that split off from it." More light and life within Boniface's church than within John Wesley's? More light and life within Pius XII's church than within Dietrich Bonhoeffer's? This is the sheerest Catholic solipsism, and a deeply dismaying confession from a writer who seemed beyond such superstitions. But then the first page of this book announces, about the church, that "I would lose my faith in God before losing my faith in it." It is an incredible and perhaps unwitting admission. A faith in the church without a faith in God: if that is all that Wills is finally defending, then why his intellectual labor?

Wills's last appeal is to the shade of Evelyn Waugh. He quotes Waugh's response to those who asked him why he was so mean and uncharitable if he was really a Christian: "Just think how much worse I would be if I were not a Christian." Wills continues: "In the same way, as bad as the papacy has been all through its history, just think how much worse things would have been *without* it." Yes, think about it. How bad, really, would things have been without the papacy?

The obvious response to Waugh's easy and rather vulgar quip is to ask: how does he know? Why is Waugh so sure that he would be a meaner atheist than Christian? Perhaps he would be a better man without Christ, not a worse one. And the appeal to original sin—we are all wicked and only the church can save us from ourselves—is tiresome, and suspiciously easy. Isn't there the smell of complacency about a man who so easily condemns himself? Waugh's joke offers a disturbing example of passivity. It proposes an original sin that simply waits for Christ's correction, rather than a *Christianity* that offers itself for Christ's correction.

Gibbon and Hume, once applauding Wills, would now be wringing their hands, and warning themselves not to fall for this sort of bluff again. For Garry Wills has just decorated his halfway house, and he is settling down for a long and comfortable residency. ■



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# Lesser Evils

*By* FINTAN O'TOOLE

## Ireland's Holy Wars: The Struggle for a Nation's Soul, 1500–2000 by Marcus Tanner

(Yale University Press, 470 pp., $29.95)

ONE OF THE most remarkable, and one of the most under-appreciated, of nineteenth-century novels is surely *The Confessions of a Justified Sinner*. Written by the Scottish sheep farmer James Hogg and published in 1824, it examines the psychopathology of a holy warrior. Aside from its considerable aesthetic achievements, Hogg's novel is also, amid our own urgent concerns with political and religious terror, a useful reminder that faith-based fanaticism is neither a new phenomenon nor an exclusively Islamic one.

Robert Wringham, Hogg's murderous antihero, is animated not by the promise of a harem of virgins waiting for him in the afterlife, but by a dogma that retains a heavy influence in Protestant fundamentalism. That dogma is the Calvinist doctrine of predestination, and Hogg pushes it to its logical conclusion. Since God knows all, He has foreseen the fate of all human beings long before they were born. He knows whether they will be damned or saved, whether they are destined for the joys of heaven or the fires of hell. And since God cannot be wrong, nothing these people can do can alter their destiny. The elect will be saved, even if they sin. The damned will burn, even if they are good. On these impeccable theological grounds Robert Wringham concludes that since he himself is among the elect, the sin of murder can have no consequences for him.

He concludes even more. Why not, he reasons madly and dogmatically, give God's plan a little nudge in the right direction by sending the damned to hell a little sooner? "Seeing that God had from all eternity decided the fate of every individual that was to be born of woman, how vain was it in man to endeavour to save those whom their Maker had, by an unchangeable decree, doomed to destruction.... How much more wise would it be, thought I, to begin to cut sinners off with the sword! For till that is effected, the saints can never inherit the earth in peace." The idiom is chillingly familiar to contemporary ears.

Wringham's conviction that "the elect of God would be happier, and purer, were the wicked and unbelievers all cut off from troubling and misleading them" is the self-justification of all those who kill in the name of religion. He calls his intended campaign of murder "reformation by blood." Others have called it by other names, but the mentality is consistent throughout the centuries. Any cursory glance at world history—no religion and no culture has been immune to this pathology—will take in many versions of the holy war, many crusades in which the faithful have slaughtered the infidel. The knowledge that one is among the elect calms the voice of conscience. The knowledge that the victim is going to burn for all eternity anyway makes the murderer simply an accomplice to the divine plan.

BUT THERE IS a different question that needs to be asked in these times. Religion justifies cruelty and slaughter, but does it cause them? Is religious difference an inevitable cause of conflict? In the much-vaunted clash of civilizations that we are alleged to be witnessing now, is "civilization" a polite euphemism for religion? Or is religion simply a pretext, an epiphenomenal expression of political and social and economic grievances, one excuse for violence among the many excuses that are possible? The answer to this question is important. If religion is itself the cause of conflict, then we are indeed doomed to an endless series of holy wars. If it is an excuse, a way of making ordinary struggles for political advantage seem less squalid and more epic, then the source of conflicts is to be sought in the failure of politics.

The best place to build the case for the prosecution of religion as the root cause of intractable conflict is Ireland. Here is a small and relatively homogenous society, with a population smaller than that of New York City. It is overwhelmingly—until the 1990s, it was almost exclusively—white, European, and Christian. Its sons and daughters have emigrated in very large numbers since the eighteenth century, and for the most part those who have done so have shown themselves to be flexible, adaptable, pragmatic people, willing and able to cope with new experiences and ideas. It has had a distinguished literary culture and a significant educated elite for nearly fifteen hundred years.

In ethnic terms, Ireland is far less complex than many European societies, and infinitely less so than the United States. The biggest inward migration in the last five hundred years came from Scotland in the eighteenth century, and its descendants still form the largest single minority group. But Scotland itself had been settled by the Irish many centuries before. The very name Scotland means "land of the Irish," "Scotus" being the Latin for an Irishman. The west of Scotland even today is called Argyll, from Ar-Gael, the eastern Irish. In the long view, the Scottish influx in the seventeenth century to the northern Irish province of Ulster is part of a pattern of back-and-forth migration between two places that are, after all, separated at their nearest point by less than forty miles of water.

So why then has Ireland been plagued with vicious little wars, and occasionally with vicious big ones, since the sixteenth century? Why, more to the point, has the northeastern part of the island, populated by white English-speaking Christians who wear the same clothes, watch the same television programs, eat the same foods, and complain about the same weather, been tormented by a sordid campaign of terror and counterterror that dragged on far beyond the bonds of political rationality and is still not entirely over? The obvious answer, and the answer that Marcus Tanner gives in his account of what his subtitle calls "the struggle for a nation's soul," is religion.

TANNER'S BOOK IS astute, well-written, and formidably researched, drawing on both primary archival research and previous scholarship and supplemented by his journalistic investigations. It presents a coherent and extremely valuable account of the conflict between Catholicism and Protestantism in Ireland from 1500 to the present day. It is hard to think of a better advocate for the view that religion is the root cause of the Troubles—that, as Tanner puts it, "it was Ireland's religious struggle that forged the

FINTAN O'TOOLE is a columnist for *The Irish Times*.



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political and national identities of the Irish people, or peoples." This is a courageously honest account of modern Irish history. So honest, indeed, that it provides more than enough evidence to call Tanner's own thesis into doubt.

Tanner is a distinguished English journalist best known for his coverage in the *Independent* of the Balkan wars of the 1990s and for his book *Croatia: A Nation Forged in War*. At one level, *Ireland's Holy Wars* gains from this combination of journalistic and historical skills. Dry ecclesiastical history is brought to life by his habit of beginning with vignettes of life in both parts of Ireland today and moving backward in time, seeking the past that explains the present.

But there is a price to be paid for this vivid readability. The extent to which Tanner's approach to history is informed by his journalistic experiences is problematic for two reasons. Since so much of those experiences occurred in the Balkan wars, there is a tendency to see Ireland through the perspective of the former Yugoslavia. Tanner describes Derry as "the Protestant Kosovo," an analogy more colorful than useful. His anxiety to point to the similarities between the two sets of conflicts misses a central point of difference. Bosnia reminded us of how appalling an intimate national conflict with religious overtones can become; but it should remind us also that, in the scale of unspeakable cruelties, the thirty-year conflict in Northern Ireland has in fact been relatively limited. There have been no mass rapes, no concentration camps, no massacres of thousands in a single day. Without at all diminishing the suffering of the bereaved and the maimed, it is worth inquiring into the reasons for Ireland's avoidance of the worst that sectarian conflict can wreak. But Tanner's Balkan analogies make him less inclined to ask such a question. If he had looked into the difference, he might have been less inclined to use a term such as "holy war."

The other problem with Tanner's mixture of journalism and history is that it encourages a tendency to read backward, to understand the past in terms of its present-day consequences. This, too, is misleading. Catholics and Protestants in Northern Ireland certainly use history to explain their own identities; and this practice gives a surface credibility to the notion of "ancient animosities," to the fatalistic view of embedded hatreds working their way inexorably through the centuries like unstoppable juggernauts. Yet the versions of the past that are deployed for these purposes are almost always atrophied distortions of historical events. They have very little to do with what happened in the distant past and everything to do with contemporary conflicts. If you want to know about the past, the present is often the worst place to start. Tanner is too intelligent a writer not to understand this, but his methodology nevertheless carries an implicit message that what you see today in Belfast or Derry or Portadown is really the result of religious divisions that have remained intact since the Protestant Reformation of the sixteenth century.

ONLY A FOOL would deny that the Troubles in Northern Ireland or the sporadic episodes of rebellion and repression in the previous five centuries can be understood without taking account of the division between Catholics and Protestants. What can be denied, I think, is that religion itself has ever been the primary source of those conflicts. In Tanner's eyes, religion is the wound that has caused Irish people to bleed over the centuries. It makes more sense, however, to think of religion as the weapon that has been used to cause the wound. Religion, like its secular counterpart history, has been wielded at different times and in different ways in the pursuit of economic and political advantage.

The broad shape of modern Irish history certainly forces the issue of religion to the forefront. From the sixteenth century to the early twentieth century, the Irish ruling class was Protestant and imperial, deriving its power from its origins in the slow conquest of the island by England. Those over whom it ruled were for the most part Catholics. Indeed, Ireland stands out as one of the few European countries in which the religion of the masses was not simply determined by the choice of their masters. The Catholic population stubbornly resisted the Protestant Reformation. The state church, the Episcopalian Church of Ireland, treated the Gaelic-speaking masses as a subject people rather than a flock to be protected and served. As a consequence, Catholicism became by and large the faith of those whose politics could, after the French Revolution, be called nationalist; and Protestantism was the religion of those who were loyal to Britain.

This is what happened; and give or take some important nuances, it is not in dispute. Still, an interesting set of questions can be promoted by a little counterfactual speculation. What if Henry VIII had remained happy with Catherine of Aragon and true to his papal title of Defender of the Faith? What if the English Reformation had failed, or had been reversed by the Stuart dynasty? With England and Ireland still loyal to the pope, would there have been no oppression and resistance, no haughty land-owning aristocracy and resentful dirt-poor peasantry, no eventual nationalist revolution? The answer to those questions, surely, is no. Take away the religious factor and you still have enough economic, political, and national divisions to fuel a great deal of nastiness and a few wars.

Moreover, we do not have to be entirely speculative. It is easy to forget that English claims on the overlordship of Ireland long pre-date the Reformation. They began with the Norman invasions of the twelfth century. Both invaders and natives were fellow denizens of a united Christendom. They believed the same dogmas, recited the same prayers, made pilgrimages to the same shrines, and obeyed the same pope. Did this make the powerful incomers any more tender-hearted toward those they ruled than their Protestant successors would be? The chief ideologist of the Norman conquest, the Welsh monk Giraldus Cambrensis, could not condemn his Irish co-religionists as heathens; but still he described them as uncivilized wretches. The native Irish bishops certainly did not think that a shared religion made their English cousins any more sympathetic, complaining to the pope in 1317 that the English clergy "dogmatically assert the heresy that it is no more sin to kill an Irishman than to kill a dog." Instead of feuds between Catholics and Protestants, there were fierce internal struggles in the still unified church, with the Irish and English factions battling for control of abbeys, cathedrals, and bishoprics. And the Vatican tended to favor the English factions, since England was a far more important ally than the native Irish could ever become.

BEFORE THE REFORMATION, then, divisions of ethnicity, nationality, and culture were hardly less sharp than they became when the labels "Protestant" and "Catholic" could be applied to them. And they remained strong even after Henry's momentous break with Rome. The Irish response to the Reformation was far more complex than the subsequent shape of events seems to suggest. Reading backward from today's association of Protestantism with pro-British sentiment and of Catholicism with Irish nationalism, it is easy to assume that this division was natural and inevitable. The English settlers in Ireland would obviously adopt the new English state religion. The native Irish would naturally hold on to the old faith as a badge of resistance to the colonists. But it was not at all like that.



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As Tanner acknowledges, "it was the most English elements in Ireland—in political terms the Loyalists of their time—who played the crucial role in rejecting Protestantism. And it was the English of the walled towns who brought the Counter-Reformation to Ireland. At the time, the native Irish were far less decided in their opinions." It is not at all unusual for overseas colonists or migrants to resist innovations that are taking hold in the mother country, and the English in Ireland were no exception. Far from there being any neat fusion of nationality and religion, the Anglo-Irish wars of the sixteenth and seventeenth centuries saw people choosing sides on the basis of different mixtures of religious and political motives. Religion was always an issue, but it was not always a decisive one.

The same was true of nationality. Sometimes national antagonisms seemed less important than religious causes. Thus, in the 1590s, the so-called Old English—descendants of earlier English settlers—began to see the previously despised Wild Irish as potential allies in the cause of the Counter-Reformation. By the 1620s, on the other hand, some English Protestant intellectuals in Ireland began to drop their previous contempt for the same natives, and even to claim that the old Gaelic-speaking Irish church was not really barbaric but in fact a kind of admirable proto-Protestantism. In 1623, the Protestant bishop of Meath James Ussher claimed in his *Discourse on the Religion Anciently Professed by the Irish and British* that "the religion professed by the ancient bishops, priests, monks, and other Christians in this land was for substance the very same with that which now by publike authoritie is maintained therein."

IN THE 1640S, too, when Ireland was plunged into turmoil by the struggle in England between the monarchy and Parliament, the Old English Catholics allied with the native Irish in defense of Charles II and against the parliamentary Puritans of Oliver Cromwell. If you ask anyone in Ireland today what happened in the 1640s, Catholics will remember the massacres carried out by Cromwell's Puritan forces and Protestants will remember the massacres perpetrated by the Catholic rebels in a native uprising in 1641—wildly exaggerated in later Protestant propaganda but atrocious enough in any case. These were indeed defining events in the fusion of politics and religion in Ireland.

Yet this fusion was the cause and not the consequence of religious fanaticism. Later generations would read backward from


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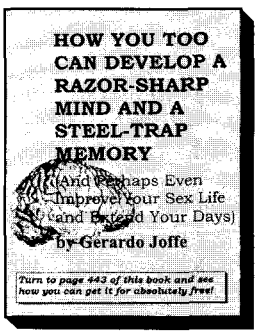
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the events of the 1640s and assume that the violence was a clash of entirely incompatible civilizations, each defined by an alignment of nationality and religion: English and Scottish Protestants against native Irish Catholics. But it simply was not like that. In her recent history of the Catholics of Ulster, Marianne Elliot has remarked that "neither native nor settler would have had any clearly defined sense of religious identity before 1641."

The Scottish settlers were not all Calvinists. Catholic landowners brought Catholic tenants from Scotland. The culture of the typical Scottish settlers was much closer in terms of dress, work practices, and housing styles to their Irish neighbors than to the English overlords. Perhaps as a result, significant numbers of Scottish settlers actually converted to Catholicism. Intermarriage with the natives was so common that by 1639 the Catholic clergy was discussing what provision to make for the children of mixed marriages. Significant numbers even of Cromwell's Puritan shock troops married local Catholic women.

The central issue in the conflicts of the seventeenth century was land, not religion. Labeling Protestants as "heretics" or Catholics as "Papist dogs" was a tool for dehumanizing the enemy; but the source of the enmity lay not in theological disputes but in economic and political rivalries. It is well to remember, moreover, that the terrible Irish wars of the 1640s and 1690s were not, for the most part, indigenous affairs. Protestants and Catholics did not spontaneously spring at each other's throats. The conflicts were imported. Ireland was a battlefield in larger, extraneous struggles: the clash between Parliament and the monarchy in England, the dynastic rivalries of the crowned heads of Europe, the reactions of its neighbors to the rise of France as the first modern state under Louis XIV.

THE BEST EXAMPLE is the conflict of the late 1680s and early 1690s, sparked when the English Parliament deposed the Catholic James II and invited the Dutch Protestant William of Orange to take the throne. Its resonances still echo today. It produced the bloodiest battle ever fought on Irish soil: the Battle of Aughrim in 1691, which went down in Catholic history as the last stand of the old Catholic nobility, after which the Catholic nobles emigrated en masse to France and Spain. The Protestant victory that preceded it, the Battle of the Boyne in 1690, is still marked each year by the July 12 processions of the militantly Protestant Orange Order. The Siege of Derry, in which Protestants heroically defended the city from James's Catholic forces, is still a touchstone for Irish Protestant identity. The idea of that struggle as a purely religious conflict is important to both sides. If there is a holy war to justify Tanner's title, this is it.

In fact, all of those battles were part of a European war in which the defining issue was the rising power of France. Religion was far from irrelevant, of course. Louis XIV's ruthless suppression of French Protestants encouraged fears in England that Britain's own Catholic king, James, might do likewise. The replacement of Protestant officials by Catholics in Ireland added to the paranoia. For the most part, Irish Catholics remained loyal to James and Irish Protestants supported the usurper William and his wife, James's daughter Mary. When the deposed James fled to France and received the support of Louis, the identification of religious and political allegiance was all the stronger.

It was, though, far from complete. Support for James—so-called Jacobitism—was never exclusively Catholic. Many conservative Protestants in Britain and Ireland believed that they had a duty of loyalty to the lawful king, and that it was sinful to support James's overthrow. In England, four hundred Anglican clergymen refused to take the oath of allegiance to William and Mary. In Ireland, a minority of Protestant bishops did likewise. In 1691, to take just one example, two Protestant parsons in the English county of Suffolk were tried for drinking a toast to the damnation of William and Mary, one of them allegedly having cut into a pigeon pie with the wish that it was William's heart.

Even among Presbyterian dissenters, there was a strong strain of Jacobitism. William Penn, the Quaker leader and later the founder of Pennsylvania, was arrested four times between 1689 and 1691, on the last occasion because two letters from Penn to James himself had been seized by the authorities. Even after the defeat of the Jacobite cause, moreover, it continued to appeal to many impeccably Protestant minds. As late as 1777, no less a figure than Samuel Johnson could claim that if a free vote were taken in Protestant England on the restoration of James's heirs to the throne, "there would be a great majority of voices for it." The claim may have been preposterous, but Johnson's willingness to believe it is a reminder that the identification of Jacobitism with Catholicism is a tidying-up of a far more complex reality.

On the other side of the conflict, too, things were much less simple than the later mythmakers could admit. William was in Ireland not to smash the Catholic infidels but to shore up his own precarious position as a Dutch leader facing the threat of an aggressive France. The Williamite alliance was not so much anti-Catholic as anti-French, and included Catholic potentates such as Emperor Leopold I of Austria and the Elector Maximilian of Bavaria. Even William's own Dutch army contained many Catholics, whose religion was treated with far more tolerance by their ruler than his Irish Protestant followers would ever show their Catholic compatriots. Not only was William's victory at the Battle of the Boyne celebrated with the singing of a Te Deum in Catholic Vienna, it was also welcomed by the pope, whose hatred of Louis XIV far outweighed his sympathy for his own flock in Ireland.

THESE MORE COMPLEX realities should temper any tendency to talk of "holy war." The phrase itself occurs just twice in all the sources that Tanner uses. In neither case does it mean what the book's title implies, an Irish version of jihad. The first usage comes from an interview in the English Catholic paper *The Tablet* in 1887 with the administrator of the Irish Catholic cathedral of Thurles, Arthur Ryan. The context is the so-called Plan of Campaign, in which tenant farmers—mostly Catholic—were withholding rents from their mostly Protestant landlords. Ryan tells the paper that "Irish priests and bishops bless it and declare it to be a high and unassailable morality, a holy war in the cause of the poor and the oppressed." This is not in any sense a jihad. It is a class conflict, not a religious crusade. All Ryan is saying is that the church supports the poor against the rich. The leader of the Plan of Campaign, incidentally, was Charles Stewart Parnell, a Protestant.

The second reference to holy war is from 1938, when a Catholic journalist named Francis McCullagh wrote: "This is not a civil war, it is a holy war, a crusade. And these are not soldiers, they are fighting monks, Knights Templars." But McCullagh was writing not about the war on Irish Protestants, but about the war on the godless Spanish Republic. The crusade in question is against socialism, communism, and liberal democracy. The Knights Templars were the small bunch of Irish buffoons who went to fight for General Franco and came home without seeing any action, except when their own side accidentally fired on them. Even McCullagh reserved his admiration for an English Protestant volunteer who proved far more deadly to the Reds than any of his Irish comrades.

If the rhetoric of holy war never actually



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took hold in Ireland, it is partly because the mentality of jihad divides the world into just two groups: the faithful and the infidels, the elect and the damned, the children of light and the children of darkness. In Ireland, from the sixteenth century onward, there were at least three religious groups: Catholics, Anglicans, and Dissenters, who were mostly Presbyterian but with a significant element of other churches, including, after the mid-eighteenth century, Methodism. It is the Dissenters who make nonsense of Tanner's claim that, after 1700, "in place of the complicated old divisions, two remained: Protestant and Catholic, British and Irish." His insistence that from then on "the differences between English and Scottish communities (in Northern Ireland) were submerged in a common British Protestant identity" may be necessary to his argument, but it is a vast over-simplification.

UNTIL THE NINETEENTH century, Presbyterians and other Nonconformists suffered from the same discriminatory laws as their Catholic neighbors. They, too, were forced to pay tithes to support an Anglican clergy whose churches they did not attend. They too, as tenant farmers, resented the greed of their Anglican landlords. Denied access to the Anglican university, Trinity College in Dublin, the sons of the more prosperous Presbyterians studied in Edinburgh and absorbed the radical idealism of the Enlightenment. Presbyterian Belfast was a liberal city. Its volunteer militias supported Catholic rights and defied the law by inviting Catholics into their ranks. In 1784, the Belfast First Volunteer Company not only raised the funds to erect a Catholic church in the city, it also attended the inaugural Mass.

These Presbyterians were also the driving force behind the foundation of modern Irish nationalism. The Society of United Irishmen, inspired by the American and French revolutions, was the brainchild of William Drennan, the son of a Belfast Presbyterian minister. Much of its intellectual leadership was Presbyterian and Anglican. Theobald Wolfe Tone, the official father of Irish Republicanism, still revered by all the nationalist parties in both parts of the island, was a Dublin Anglican. Far from having submerged their identities in British Protestantism, they invented the idea of an independent Irish Republic, founded on "a cordial union among all the people of Ireland," a people, in Tone's formulation, composed of "Catholic, Protestant, and Dissenter."

The descent of the bloody Republican rebellion of 1798 into anarchic violence, some of it with clear sectarian overtones, ended this dream. In the course of the nineteenth century, Presbyterians were gradually, if never quite completely, assimilated into a pro-British Protestantism. But it was fear of the United Irishmen that forced the British government to repeal many of the laws that discriminated against Catholics. Indeed, the notion that Catholicism was nationalist and Protestantism was British was thus challenged in a completely different way. British governments began to woo the leadership of the Irish Catholic Church, seeing it now as a conservative bulwark against the dangerous radicalism of the United Irishmen. Saint Patrick's College in Maynooth, still the main Irish Catholic seminary and headquarters of the Irish bishops, was paid for in 1795 not by the pennies of the Catholic poor, but by the impeccably Protestant British government. The bishops repaid the compliment by excommunicating any Catholic who joined the United Irishmen.

And a strong strain of loyalism remained in the Catholic hierarchy thereafter. Tanner quotes the Catholic bishop of Kildare James Doyle declaring in the 1820s that "anyone in possession of the rights and privileges of British subject" would be insane to give them up in favor of Irish independence. In 1906, Archbishop Healy of Tuam told an audience of Catholic schoolteachers that they owed to King Edward VII "absolute and unconditional loyalty.... I hope no teacher and no Irishman will ever fail to pay due homage to the toast of Edward VII." The papacy, too, was generally hostile to Irish agitation against British rule. Leo XIII issued a papal decree condemning Parnell's Plan of Campaign in 1888.

Even the most extreme expression of the identity between Catholicism and Irish nationalism and between Protestantism and British allegiance—the partition of the island in 1920 into a Protestant-dominated north remaining within the United Kingdom and a Catholic-dominated south emerging as an independent state—is not the simple result of religious differences. It is also in part about the politics of sovereignty, nationality, and empire. A sense of Irish separateness cannot be entirely attributed to Catholicism. Scotland adopted the Protestant Reformation, but try calling a Scot English even today and you will discover that issues of nationality cannot be defined tidily along religious lines. Economics was also crucial. The northern part of Ireland experienced the industrial revolution and was fully integrated into the British imperial economy. Separation would have been an economic disaster. Protestant anti-Catholicism was a way of expressing these objective economic interests, but it did not create them.

Marcus Tanner acknowledges most of this, but he can never quite bring himself to conclude that his own evidence contradicts, or at least utterly complicates, the basic premise from which he started: that Ireland's Troubles are fundamentally religious. In the present climate, a title like *Ireland's Holy Wars* is especially misleading, not just as an explanation for the Irish conflict, but as a way of looking at the world. What Ireland shows, again and again, is how the meaning of religious identity changes under the pressure of political and economic forces. It is manipulated by bigots, distorted by cynics, and waved as a flag of convenience by people who proclaim their religion far more often than they practice it. It is wrapped up in myths about the past and used to give a heroic gloss to sordid crimes. It influences in a fundamental way the sense of where one belongs in a divided society. But the real forces at work in Irish history are not faith and heresy but power and greed. In this time inflamed by jihad and sacralized violence, the complicated story of Ireland is, for all its blood and hatred, a source of sober hope. ■

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# WASHINGTON DIARIST

## Sorry

I'VE SLIGHTED MY SHARE OF Republican senators in print. But I can only think of one to whom I owe an apology. In fact, I may even owe him my life. Let me explain: Back in 1996 I was a smart-alecky TNR intern eager to wisecrack my way into print. Richard Lugar was a Republican senator running one of the most hopeless presidential campaigns in modern history. Lugar was an awful candidate. His grimacing, mechanical approach to primary-state retail politics made Steve Forbes look like Warren Beatty. Stating the obvious during the campaign, he told one reporter, "I've never purported to be an entertainer or performer or a bon vivant." His candidacy was instead based on that perennially losing theme of technocratic mastery. Lugar's edge was that, as a hardworking 20-year senator, he simply knew the issues better than anyone else did. Naturally, his candidacy went nowhere.

AND SO PERHAPS THE MOST RATIONAL, levelheaded candidate of all time, acted like a maniacal dictator: He went nuclear. In December 1995 Lugar ran a four-part ad campaign telling the story, docudrama-style, of terrorists who steal three Russian nuclear warheads and threaten to detonate them in the United States. In one spot, a little girl plaintively asks at bedtime, "Mommy, won't the bomb wake everybody up?" Others depicted panicky aides begging a befuddled president for guidance. The implication was that most presidential candidates would be ill-equipped to deal with such a calamity. But not Lugar. Long before *The Sum of All Fears* gave Americans mass nightmares, Lugar had become fixated on the possibility that former Soviet nukes might be stolen and exploded on American soil; he had spent countless hours working on that very question in the Senate. And so the ads concluded with Lugar, looking solemn—and, back then, vaguely ridiculous—issuing his grave warning: "Nobody wants to talk about nuclear terrorism. But hiding from it won't make it go away." In those blissfully ignorant days Lugar's doomsday ads felt like a desperate, even exploitative, ploy. And so I smugly typed out a short, unsigned item for TNR's "Notebook," declaring that Lugar had "managed to undermine the one element that sets him apart from his competitors: seriousness." That showed him!

TODAY LUGAR'S NIGHTMARE SCENARIO feels rather less cartoonish—especially here in Washington, a city whose security Dick Cheney comments upon by decamping to his "undisclosed location." Yet I'm surprised how few Washingtonians talk seriously about the risks involved with living here. When Bill Keller wrote a terrifying, 8,000-word cover story in the May 26 *New York Times Magazine* chronicling the nuclear-terror risk, he concluded, "The problem is not so much that we are not doing enough to prevent a terrorist from turning our atomic knowledge against us (although we are not). The problem is that there may be no such thing as 'enough.'" He went on to note, "I'm not evacuating Manhattan, but neither am I sleeping quite as soundly." Well, if there may be no such thing as "enough," at what point *do* we evacuate? Big-city dwellers are today playing an unspoken game of chance or retreating into denial. But that could change. A journalist friend of mine recently confessed, for instance, that The Bomb would be a factor in his decision the next time a job offer in a smaller city came along. This might suggest a future pattern: Because no one wants to be a coward, people aren't fleeing D.C. or New York. But given a good excuse, we just might conveniently relocate. It's a checklist for a new generation: How good are the schools? How high are the taxes? What does the threat matrix say?

DICK LUGAR, BLESS HIM, SAW THIS coming a decade ago. And he's probably worked harder than anyone else in Congress to protect us. A program he formed with then-Georgia Senator Sam Nunn in 1991 has spent billions keeping nuclear weapons from reaching our shores. Nunn-Lugar pays for everything from alarm systems at a plutonium dump in Belarus to gainful employment for bribe-susceptible former Soviet nuclear scientists. It's that rarest of federal programs: forward-looking, efficient—and utterly lacking a political constituency. As a result, although the United States is satisfied with security systems at only 20 percent of Russian nuclear storage sites, Nunn-Lugar has spent just $4.5 billion over the past decade and even next year will spend only $1.3 billion more—about 0.3 percent of the Pentagon budget, a level of funding *The Economist* last month declared to be "outrageous folly." As the White House promotes its shiny new homeland security strategy, it could use some reminding that it's a lot easier to keep a nuke from reaching the homeland than defending against it once it's here. And so I hereby nominate Dick Lugar to replace Tom Ridge.

AS YOU CAN PROBABLY TELL, MY LITTLE pre-September 11 swipe at the Indiana senator has been weighing heavily on my post-attack conscience. Things got worse when I learned recently that Lugar is a faithful reader of TNR. In fact, one of his aides explained to me, Lugar has been known to ask about his copy when it hasn't arrived on time. I stammered out some expression of gratitude—but found myself secretly awash in guilt. I had a chance in 1996 to give Lugar a small morale boost when he needed it most; but I blew it. Now I fear that if Washington is vaporized, historians will look scornfully upon my "Notebook" item. So I apologize. I'm the one whose seriousness was undermined, not Lugar.

PARANOID THOUGH I MAY BE, I'M NOT prepared to abandon Washington just yet. But I was happy to escape briefly last month on a trip to northern Montana's gloriously pristine Glacier National Park. Even in this rugged Eden, however, the memory of Mohammed Atta and friends loomed. A small but lovely portion of Glacier Park lies north of the Canadian border, and this "international" aspect of our trip posed difficulties. My friends and I had planned to take one of the most popular day trips: riding a boat from the Canadian side of the huge and shimmering Waterton Lake to its Montana shore and, from there, hiking a scenic trail known as Goat Haunt. But the modest Montana dock had been newly deemed a "point of entry," and the U.S. Customs service had closed it pending a decision on how best to monitor travelers. The restriction was patently foolish—a would-be terrorist would still have to hike miles through grizzly-infested wilderness to reach the nearest road; and any terrorist determined enough to hike that far could still hike *around* the lake—and mainly served to upset plans like ours. (Meanwhile, none of the checkpoints on area roadways prevented us from brazenly smuggling coolers filled with contraband fruits and alcohol over the border and back.) Customs eventually realized its mistake. A few days after my visit, Goat Haunt was reopened to documented American citizens. And just in time: I was getting ready to complain to President—er, Senator Lugar.

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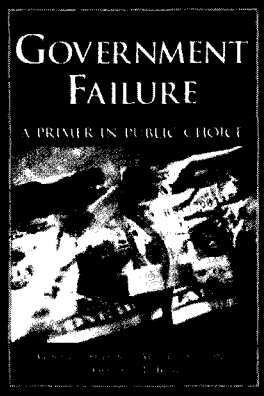


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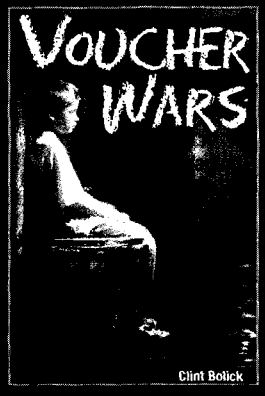


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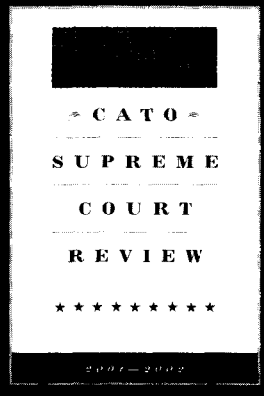


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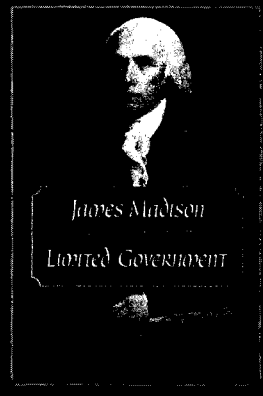


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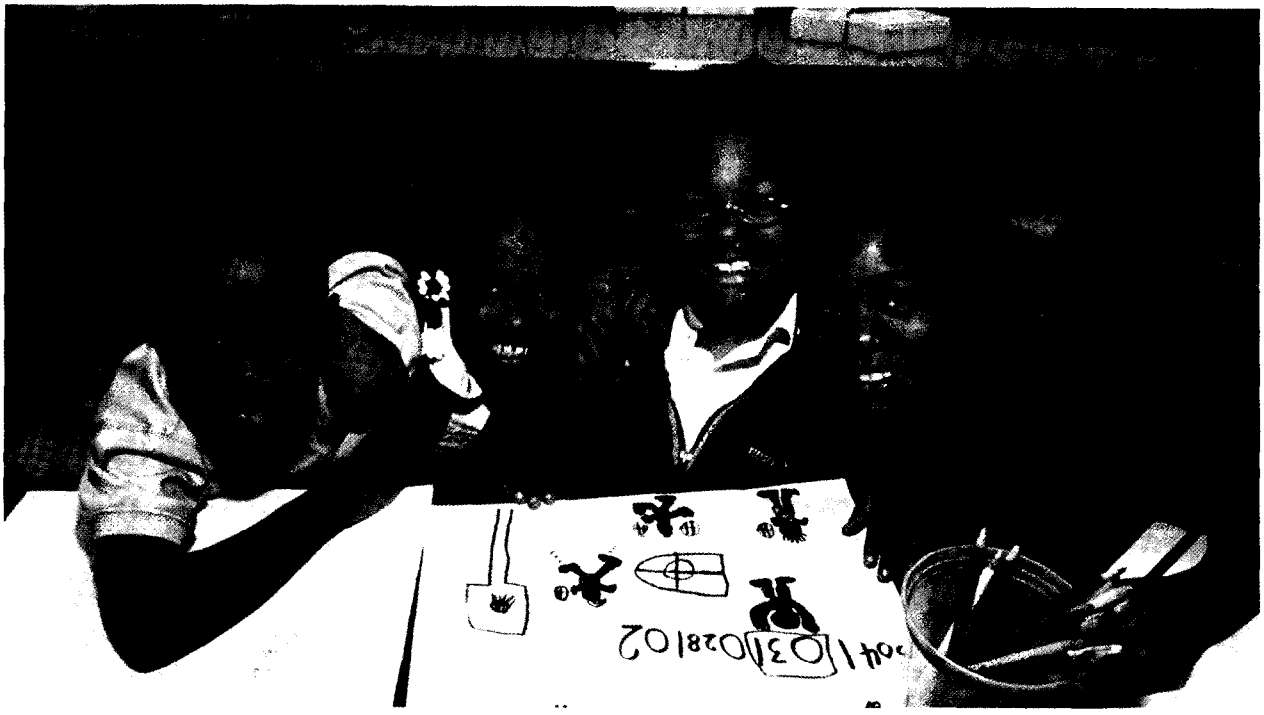

# Parental School Choice: Widespread — Unless You're Poor

No organization has worked harder than the National Education Association (NEA) to block educational choice for low-income parents.

But why the effort? After all, NEA President Bob Chase explains in a recent column that educational vouchers are "opposed by the people who supposedly benefit." So, has NEA's longstanding campaign against school choice been unnecessary?

Perhaps not. In a new book, Chase offers a much different view of who favors more school choice. He writes, "As a practical matter, vouchers have their greatest appeal to inner city residents whose schools are often in deplorable condition." (Source: *The New Public School Parent*, Penguin Original, August 2002). A wealth of undisputed polling data confirms this. It shows Chase to be honest when he acknowledges the broad support for choice among low-income parents, most of whom are Black.

Of course, support for school choice is hardly limited to low-income families. The real difference is that the majority of American parents already have choice. As Chase himself explains in his book, "Middle-class families are more content with their schools and already have choice. They can afford to send their children to private school if need be." This is particularly the case for teachers in Chase's union. Census data show that large numbers of NEA members use private schools to avoid the "deplorable condition" in many big city schools.

The Black Alliance for Educational Options (BAEO) strongly supports the right of NEA members — and all Americans — to decide where their children attend school. But we are distressed and perplexed that teachers and their leaders often apply one standard when it comes to their own children and a different one for families with less income.

As the debate about educational options continues, BAEO will emphasize that there is nothing new or experimental about school choice. The simple truth remains: *parental school choice is widespread — unless you're poor.*

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Black Alliance for Educational Options

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